
HOUSE BILL No. 1326

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-33.

Synopsis: Gaming matters. Authorizes a licensed owner to move riverboat gambling operations to an inland location that is adjacent to the current dock site of the licensed owner's riverboat. Provides that the licensed owner may not offer more gaming positions than currently offered at the docked riverboat. Makes conforming changes.

Effective: July 1, 2013.

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January 17, 2013, read first time and referred to Committee on Public Policy.

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First Regular Session 118th General Assembly (2013)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2012 Regular Session of the General Assembly.

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HOUSE BILL No. 1326



A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-33-2-17, AS AMENDED BY P.L.15-2011,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2013]: Sec. 17. "Riverboat" means any of the following on
4 which lawful gambling is authorized under this article:

- 5 (1) A self-propelled excursion boat located in a county described
- 6 in IC 4-33-1-1(1) or IC 4-33-1-1(2) that complies with
- 7 IC 4-33-6-6(a).
- 8 (2) A casino located in a historic hotel district.
- 9 (3) A permanently moored craft operating from a county
- 10 described in IC 4-33-1-1(1) or IC 4-33-1-1(2).

11 **(4) An inland casino operating under IC 4-33-6-24.**

12 SECTION 2. IC 4-33-2-20 IS ADDED TO THE INDIANA CODE
13 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
14 1, 2013]: **Sec. 20. "Home" means the city or county that is**
15 **designated as the home of a riverboat by IC 4-33-9-17.**

16 SECTION 3. IC 4-33-4-1 IS AMENDED TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2013]: Sec. 1. (a) The commission has the



1 following powers and duties for the purpose of administering,
 2 regulating, and enforcing the system of riverboat gambling established
 3 under this article:

- 4 (1) All powers and duties specified in this article.
 5 (2) All powers necessary and proper to fully and effectively
 6 execute this article.
 7 (3) Jurisdiction and supervision over the following:
 8 (A) All riverboat gambling operations in Indiana.
 9 (B) All persons on riverboats where gambling operations are
 10 conducted.
 11 (4) Investigate and reinvestigate applicants and license holders
 12 and determine the eligibility of applicants for licenses or
 13 operating agent contracts.
 14 (5) Select among competing applicants the applicants that
 15 promote the most economic development in a home dock area and
 16 that best serve the interests of the citizens of Indiana.
 17 (6) Take appropriate administrative enforcement or disciplinary
 18 action against a licensee or an operating agent.
 19 (7) Investigate alleged violations of this article.
 20 (8) Establish fees for licenses issued under this article.
 21 (9) Adopt appropriate standards for the design, appearance,
 22 aesthetics, and construction for riverboats and facilities.
 23 (10) Conduct hearings.
 24 (11) Issue subpoenas for the attendance of witnesses and
 25 subpoenas duces tecum for the production of books, records, and
 26 other relevant documents.
 27 (12) Administer oaths and affirmations to the witnesses.
 28 (13) Prescribe a form to be used by an operating agent or a
 29 licensee involved in the ownership or management of gambling
 30 operations as an application for employment by potential
 31 employees.
 32 (14) Revoke, suspend, or renew licenses issued under this article.
 33 (15) Hire employees to gather information, conduct
 34 investigations, and carry out other tasks under this article.
 35 (16) Take any reasonable or appropriate action to enforce this
 36 article.

37 (b) Applicants and license holders shall reimburse the commission
 38 for costs related to investigations and reinvestigations conducted under
 39 subsection (a)(4).

40 SECTION 4. IC 4-33-4-13, AS AMENDED BY P.L.15-2011,
 41 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2013]: Sec. 13. (a) This section does not apply to a riverboat:

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- 1 (1) located in a historic hotel district; or
 2 (2) described in IC 4-33-2-17(4).
 3 (b) After consulting with the United States Army Corps of
 4 Engineers, the commission may do the following:
 5 (1) Determine the waterways that are navigable waterways for
 6 purposes of this article.
 7 (2) Determine the navigable waterways that are suitable for the
 8 operation of riverboats under this article.
 9 (3) Approve a plan submitted under IC 4-33-6-23 for:
 10 (A) the construction of a new permanently moored craft; or
 11 (B) the conversion of a self-propelled excursion boat into a
 12 permanently moored craft.
 13 (c) In determining the navigable waterways on which riverboats may
 14 operate, the commission shall do the following:
 15 (1) Obtain any required approvals from the United States Army
 16 Corps of Engineers for the operation of riverboats on those
 17 waterways.
 18 (2) Consider the economic benefit that riverboat gambling
 19 provides to Indiana.
 20 (3) Seek to ensure that all regions of Indiana share in the
 21 economic benefits of riverboat gambling.
 22 SECTION 5. IC 4-33-5-1 IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2013]: Sec. 1. An applicant for a license or an
 24 operating agent contract under this article must provide the following
 25 information to the commission:
 26 (1) The name, business address, and business telephone number
 27 of the applicant.
 28 (2) An identification of the applicant.
 29 (3) The following information for an applicant that is not an
 30 individual:
 31 (A) The state of incorporation or registration.
 32 (B) The names of all corporate officers.
 33 (C) The identity of the following:
 34 (i) Any person in which the applicant has an equity interest
 35 of at least one percent (1%) of all shares. The identification
 36 must include the state of incorporation or registration if
 37 applicable. However, an applicant that has a pending
 38 registration statement filed with the Securities and Exchange
 39 Commission is not required to provide information under
 40 this item.
 41 (ii) The shareholders or participants of the applicant. An
 42 applicant that has a pending registration statement filed with

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- 1 the Securities and Exchange Commission is required to
 2 provide only the names of persons holding an interest of
 3 more than one percent (1%) of all shares.
- 4 (4) An identification of any business, including the state of
 5 incorporation or registration if applicable, in which an applicant
 6 or the spouse or children of an applicant has an equity interest of
 7 more than one percent (1%) of all shares.
- 8 (5) If the applicant has been indicted, been convicted, pleaded
 9 guilty or nolo contendere, or forfeited bail concerning a criminal
 10 offense other than a traffic violation under the laws of any
 11 jurisdiction. The applicant must include the following information
 12 under this subdivision:
- 13 (A) The name and location of the following:
 14 (i) The court.
 15 (ii) The arresting agency.
 16 (iii) The prosecuting agency.
- 17 (B) The case number.
 18 (C) The date and type of offense.
 19 (D) The disposition of the case.
 20 (E) The location and length of incarceration.
- 21 (6) If the applicant has had a license or certificate issued by a
 22 licensing authority in Indiana or any other jurisdiction denied,
 23 restricted, suspended, revoked, or not renewed. An applicant must
 24 provide the following information under this subdivision:
- 25 (A) A statement describing the facts and circumstances
 26 concerning the denial, restriction, suspension, revocation, or
 27 nonrenewal.
 28 (B) The date each action described in clause (A) was taken.
 29 (C) The reason each action described in clause (A) was taken.
- 30 (7) If the applicant has:
 31 (A) filed or had filed against the applicant a proceeding in
 32 bankruptcy; or
 33 (B) been involved in a formal process to adjust, defer,
 34 suspend, or work out the payment of a debt;
 35 including the date of filing, the name and location of the court,
 36 and the case and number of the disposition.
- 37 (8) If the applicant has filed or been served with a complaint or
 38 notice filed with a public body concerning:
 39 (A) a delinquency in the payment of; or
 40 (B) a dispute over a filing concerning the payment of;
 41 a tax required under federal, state, or local law, including the
 42 amount, type of tax, the taxing agency, and times involved.

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- 1 (9) A statement listing the names and titles of public officials or
 2 officers of units of government and relatives of the public officials
 3 or officers who directly or indirectly:
 4 (A) have a financial interest in;
 5 (B) have a beneficial interest in;
 6 (C) are the creditors of;
 7 (D) hold a debt instrument issued by; or
 8 (E) have an interest in a contractual or service relationship
 9 with;
 10 an applicant.
- 11 (10) If an applicant for an operating agent contract or an owner's
 12 or a supplier's license has directly or indirectly made a political
 13 contribution, loan, donation, or other payment to a candidate or an
 14 office holder in Indiana not more than five (5) years before the
 15 date the applicant filed the application. An applicant must provide
 16 information concerning the amount and method of a payment
 17 described in this subdivision.
- 18 (11) The name and business telephone number of the attorney
 19 who will represent the applicant in matters before the
 20 commission.
- 21 (12) A description of a proposed or an approved riverboat gaming
 22 operation, including the following information:
 23 (A) The type of ~~boat~~ **riverboat**.
 24 (B) The **site** or home dock location **of the riverboat**.
 25 (C) The expected economic benefit to local communities.
 26 (D) The anticipated or actual number of employees.
 27 (E) Any statements from the applicant concerning compliance
 28 with federal and state affirmative action guidelines.
 29 (F) Anticipated or actual admissions.
 30 (G) Anticipated or actual adjusted gross gaming receipts.
- 31 (13) A description of the product or service to be supplied by the
 32 applicant if the applicant has applied for a supplier's license.
- 33 (14) The following information from each licensee or operating
 34 agent involved in the ownership or management of gambling
 35 operations:
 36 (A) An annual balance sheet.
 37 (B) An annual income statement.
 38 (C) A list of the stockholders or other persons having at least
 39 a one percent (1%) beneficial interest in the gambling
 40 activities of the person who has been issued the owner's
 41 license or operating agent contract.
 42 (D) Any other information the commission considers

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1 necessary for the effective administration of this article.
 2 SECTION 6. IC 4-33-6-4 IS AMENDED TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2013]: Sec. 4. (a) In determining whether to
 4 grant an owner's license to an applicant, the commission shall consider
 5 the following:

- 6 (1) The character, reputation, experience, and financial integrity
 7 of the following:
 8 (A) The applicant.
 9 (B) A person that:
 10 (i) directly or indirectly controls the applicant; or
 11 (ii) is directly or indirectly controlled by the applicant or by
 12 a person that directly or indirectly controls the applicant.
 13 (2) The facilities or proposed facilities for the conduct of
 14 riverboat gambling.
 15 (3) The highest prospective total revenue to be collected by the
 16 state from the conduct of riverboat gambling.
 17 (4) The good faith affirmative action plan of each applicant to
 18 recruit, train, and upgrade minorities in all employment
 19 classifications.
 20 (5) The financial ability of the applicant to purchase and maintain
 21 adequate liability and casualty insurance.
 22 (6) If the applicant has adequate capitalization to provide and
 23 maintain a riverboat for the duration of the license.
 24 (7) The extent to which the applicant exceeds or meets other
 25 standards adopted by the commission.
 26 (b) **This subsection does not apply to:**
 27 **(1) a licensed owner constructing an inland casino to which a**
 28 **riverboat operation is relocated under section 24 of this**
 29 **chapter; or**
 30 **(2) a person applying for an owner's license to assume control**
 31 **of a riverboat operating from a dock previously approved by**
 32 **the commission.**

33 In an application for an owner's license, the applicant must submit to
 34 the commission a proposed design of the riverboat and the dock. The
 35 commission may not grant a license to an applicant if the commission
 36 determines that it will be difficult or unlikely for the riverboat to depart
 37 from the dock.

38 SECTION 7. IC 4-33-6-5 IS AMENDED TO READ AS FOLLOWS
 39 [EFFECTIVE JULY 1, 2013]: Sec. 5. In an application for an owner's
 40 license, the applicant must state:

- 41 (1) the dock at which the riverboat is based and the navigable
 42 waterway on which the riverboat will operate; **or**

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1 **(2) in the case of an application for an owner's license to own**
 2 **and operate an inland casino under section 24 of this chapter,**
 3 **the site of the inland casino.**

4 SECTION 8. IC 4-33-6-6, AS AMENDED BY P.L.15-2011,
 5 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2013]: Sec. 6. (a) Except as provided in subsection (c) **or (d)**,
 7 a riverboat that operates in a county described in IC 4-33-1-1(1) or
 8 IC 4-33-1-1(2) must:

9 (1) have either:
 10 (A) a valid certificate of inspection from the United States
 11 Coast Guard for the carrying of at least five hundred (500)
 12 passengers; or
 13 (B) a valid certificate of compliance with marine structural and
 14 life safety standards determined by the commission; and
 15 (2) be at least one hundred fifty (150) feet in length.

16 (b) This subsection applies only to a riverboat that operates on the
 17 Ohio River. A riverboat must replicate, as nearly as possible, historic
 18 Indiana steamboat passenger vessels of the nineteenth century.
 19 However, steam propulsion or overnight lodging facilities are not
 20 required under this subsection.

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

25 **(d) An inland casino constructed under section 24 of this**
 26 **chapter to which a riverboat operation is relocated must comply**
 27 **with all applicable building codes and any safety requirements**
 28 **imposed by the commission.**

29 SECTION 9. IC 4-33-6-10 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 10. (a) An owner's
 31 license issued under this chapter permits the holder to own and operate
 32 one (1) riverboat and equipment for each license.

33 (b) The holder of an owner's license issued under this chapter may
 34 implement flexible scheduling for the operation of the holder's
 35 riverboat under section 21 of this chapter.

36 (c) **Except as provided in subsections (d) and (e)**, an owner's
 37 license issued under this chapter must specify the place where the
 38 riverboat must operate and dock. ~~However,~~

39 **(d)** The commission may permit ~~the~~ a riverboat to dock at a
 40 temporary dock in the applicable city for a specific period of time not
 41 to exceed one (1) year after the owner's license is issued.

42 **(e) An owner's license issued with respect to an inland casino**

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1 **constructed under section 24 of this chapter to which a riverboat**
 2 **operation is relocated must specify the site of the inland casino.**

3 ~~(d)~~ **(f)** An owner's initial license expires five (5) years after the
 4 effective date of the license.

5 SECTION 10. IC 4-33-6-18 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 18. (a) This subsection
 7 applies to cities described in section 1(a)(1) through 1(a)(4) or section
 8 (1)(b) of this chapter. The commission may not issue a license
 9 authorizing a riverboat to dock in a city unless the legislative body of
 10 the city has approved an ordinance permitting the docking of riverboats
 11 in the city.

12 (b) This subsection applies to a county described in section 1(a)(5)
 13 of this chapter if the largest city in the county is contiguous to the Ohio
 14 River. The commission may not issue a license authorizing a riverboat
 15 to dock in the county unless an ordinance permitting the docking of
 16 riverboats in the county has been approved by the legislative body of
 17 the largest city in the county. The license must specify that the home
 18 dock of the riverboat is to be located in the largest city in the county.

19 (c) This subsection applies to a county described in section 1(a)(5)
 20 of this chapter if the largest city in the county is not contiguous to the
 21 Ohio River. The commission may not issue a license authorizing a
 22 riverboat to dock in the county unless an ordinance permitting the
 23 docking of riverboats in the county has been approved by the county
 24 fiscal body.

25 (d) This subsection applies to a county in which a historic hotel
 26 district is located. The commission may not enter into a contract under
 27 IC 4-33-6.5 for the operation of a riverboat in the county unless an
 28 ordinance permitting the docking of riverboats in the county has been
 29 approved by the county fiscal body.

30 **(e) An ordinance permitting a riverboat to dock in a particular**
 31 **city or county is sufficient authority to permit a riverboat to**
 32 **operate from an inland location in the city or county under section**
 33 **24 of this chapter.**

34 SECTION 11. IC 4-33-6-24 IS ADDED TO THE INDIANA CODE
 35 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 36 1, 2013]: Sec. 24. **(a) For purposes of this section, property is**
 37 **considered to be adjacent to a riverboat dock site even if it is**
 38 **separated from the dock site by a public road.**

39 **(b) A licensed owner may relocate the licensed owner's gaming**
 40 **operations from a docked riverboat to an inland casino if the**
 41 **following conditions are met:**

42 **(1) The casino is located on property adjacent to the dock site**

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- 1 of the licensed owner's riverboat.
- 2 (2) The casino complies with all applicable building codes and
- 3 any safety requirements imposed by the commission.
- 4 (c) A licensed owner may not do the following:
- 5 (1) Simultaneously conduct gaming operations at an inland
- 6 casino and a docked riverboat.
- 7 (2) Offer more gaming positions in the inland casino than
- 8 offered on the docked riverboat on January 1, 2013.
- 9 (d) A licensed owner is not required to obtain the commission's
- 10 approval before relocating the licensed owner's gaming operations
- 11 under this section. The commission may not impose a fee for the
- 12 privilege of relocating a gaming operation under this section.
- 13 SECTION 12. IC 4-33-9-10.5, AS ADDED BY P.L.15-2011,
- 14 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 15 JULY 1, 2013]: Sec. 10.5. (a) A licensed owner or an operating agent
- 16 may apply to the commission for approval to conduct card tournaments
- 17 at a facility other than the riverboat on which the licensed owner or
- 18 operating agent is authorized to conduct gambling games under this
- 19 article.
- 20 (b) The application must specify the facility in which the licensed
- 21 owner or operating agent will conduct the card tournament if the
- 22 application is approved. The facility must be in a hotel or other
- 23 permanent structure that is:
- 24 (1) owned or leased by the licensed owner or operating agent; and
- 25 (2) located on land that is adjacent to:
- 26 (A) the dock to which the applicant's riverboat is moored; or
- 27 (B) the land on which the applicant's riverboat is situated, in
- 28 the case of an application submitted by an operating agent or
- 29 the licensed owner of a riverboat relocated to an inland
- 30 location under IC 4-33-6-24.
- 31 (c) The application must be submitted on a form prescribed by the
- 32 commission. The application must state the:
- 33 (1) date;
- 34 (2) time;
- 35 (3) place; and
- 36 (4) nature;
- 37 of the proposed card tournament. The commission may require the
- 38 applicant to submit any additional information relevant to the
- 39 commission's consideration of the application.
- 40 (d) As a condition of its approval, the commission may impose upon
- 41 the applicant any requirement that the commission determines is
- 42 necessary to protect the credibility and integrity of gambling operations

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1 authorized by this article.
2 SECTION 13. IC 4-33-9-15 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 15. (a) All tokens,
4 chips, or electronic cards that are used to make wagers must be
5 purchased from the owner or operating agent of the riverboat:

- 6 (1) while ~~on board~~ **present in** the riverboat; or
- 7 (2) at an on-shore facility that:
 - 8 (A) has been approved by the commission; and
 - 9 (B) is located where the riverboat docks.
- 10 (b) The tokens, chips, or electronic cards may be purchased by
11 means of an agreement under which the owner or operating agent
12 extends credit to the patron.

13 SECTION 14. IC 4-33-9-17 IS ADDED TO THE INDIANA CODE
14 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
15 1, 2013]: **Sec. 17. The following are designated as the homes of each
16 riverboat operating under this article:**

- 17 **(1) The city in which the riverboat is docked or located if the
18 riverboat is docked or located in:**
 - 19 **(A) a city adjacent to Lake Michigan; or**
 - 20 **(B) the largest city of a county adjacent to the Ohio River.**
- 21 **(2) The county in which the riverboat is docked or located if
22 the riverboat is docked or located in a county that is adjacent
23 to the Ohio River, but not docked or located in the largest city
24 of that county.**
- 25 **(3) The county in which the riverboat is located if the
26 riverboat is located in a historic hotel district.**

27 SECTION 15. IC 4-33-11-2 IS AMENDED TO READ AS
28 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. An appeal of a final
29 rule or order of the commission may be commenced under IC 4-21.5 in
30 the circuit court of the county containing the dock ~~where~~ **or site of the**
31 riverboat. ~~is based:~~

32 SECTION 16. IC 4-33-12-6, AS AMENDED BY P.L.119-2012,
33 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2013]: Sec. 6. (a) The department shall place in the state
35 general fund the tax revenue collected under this chapter.

36 (b) Except as provided by subsections (c) and (d) and IC 6-3.1-20-7,
37 the treasurer of state shall quarterly pay the following amounts:

- 38 (1) Except as provided in subsection (k), one dollar (\$1) of the
39 admissions tax collected by the licensed owner for each person
40 embarking on a gambling excursion during the quarter or
41 admitted to a riverboat that has implemented flexible scheduling
42 under IC 4-33-6-21 during the quarter shall be paid to:

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- 1 (A) the city in which the riverboat is ~~docked~~, **located**, if the
- 2 city:
- 3 (i) is located in a county having a population of more than
- 4 one hundred eleven thousand (111,000) but less than one
- 5 hundred fifteen thousand (115,000); or
- 6 (ii) is contiguous to the Ohio River and is the largest city in
- 7 the county; and
- 8 (B) the county in which the riverboat is ~~docked~~, **located**, if the
- 9 riverboat is not ~~docked~~ **located** in a city described in clause
- 10 (A).
- 11 (2) Except as provided in subsection (k), one dollar (\$1) of the
- 12 admissions tax collected by the licensed owner for each person:
- 13 (A) embarking on a gambling excursion during the quarter; or
- 14 (B) admitted to a riverboat during the quarter that has
- 15 implemented flexible scheduling under IC 4-33-6-21;
- 16 shall be paid to the county in which the riverboat is ~~docked~~.
- 17 **located**. In the case of a county described in subdivision (1)(B),
- 18 this one dollar (\$1) is in addition to the one dollar (\$1) received
- 19 under subdivision (1)(B).
- 20 (3) Except as provided in subsection (k), ten cents (\$0.10) 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 county convention and visitors bureau or
- 26 promotion fund for the county in which the riverboat is ~~docked~~.
- 27 **located**.
- 28 (4) Except as provided in subsection (k), fifteen cents (\$0.15) of
- 29 the admissions tax collected by the licensed owner for each
- 30 person:
- 31 (A) embarking on a gambling excursion during the quarter; or
- 32 (B) admitted to a riverboat during a quarter that has
- 33 implemented flexible scheduling under IC 4-33-6-21;
- 34 shall be paid to the state fair commission, for use in any activity
- 35 that the commission is authorized to carry out under IC 15-13-3.
- 36 (5) Except as provided in subsection (k), ten cents (\$0.10) of the
- 37 admissions tax collected by the licensed owner for each person:
- 38 (A) embarking on a gambling excursion during the quarter; or
- 39 (B) admitted to a riverboat during the quarter that has
- 40 implemented flexible scheduling under IC 4-33-6-21;
- 41 shall be paid to the division of mental health and addiction. The
- 42 division shall allocate at least twenty-five percent (25%) of the

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1 funds derived from the admissions tax to the prevention and
2 treatment of compulsive gambling.

3 (6) Except as provided in subsection (k) and section 7 of this
4 chapter, sixty-five cents (\$0.65) of the admissions tax collected by
5 the licensed owner for each person embarking on a gambling
6 excursion during the quarter or admitted to a riverboat during the
7 quarter that has implemented flexible scheduling under
8 IC 4-33-6-21 shall be paid to the Indiana horse racing commission
9 to be distributed as follows, in amounts determined by the Indiana
10 horse racing commission, for the promotion and operation of
11 horse racing in Indiana:

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

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

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

24 (1) With respect to admissions taxes collected for a person
25 admitted to the riverboat before July 1, 2010, the following
26 amounts:

27 (A) Twenty-two percent (22%) of the admissions tax collected
28 during the quarter shall be paid to the county treasurer of the
29 county in which the riverboat is located. The county treasurer
30 shall distribute the money received under this clause as
31 follows:

32 (i) Twenty-two and seventy-five hundredths percent
33 (22.75%) shall be quarterly distributed to the county
34 treasurer of a county having a population of more than forty
35 thousand (40,000) but less than forty-two thousand (42,000)
36 for appropriation by the county fiscal body after receiving a
37 recommendation from the county executive. The county
38 fiscal body for the receiving county shall provide for the
39 distribution of the money received under this item to one (1)
40 or more taxing units (as defined in IC 6-1.1-1-21) in the
41 county under a formula established by the county fiscal body
42 after receiving a recommendation from the county executive.

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1 (ii) Twenty-two and seventy-five hundredths percent
 2 (22.75%) shall be quarterly distributed to the county
 3 treasurer of a county having a population of more than ten
 4 thousand seven hundred (10,700) but less than twelve
 5 thousand (12,000) for appropriation by the county fiscal
 6 body. The county fiscal body for the receiving county shall
 7 provide for the distribution of the money received under this
 8 item to one (1) or more taxing units (as defined in
 9 IC 6-1.1-1-21) in the county under a formula established by
 10 the county fiscal body after receiving a recommendation
 11 from the county executive.
 12 (iii) Fifty-four and five-tenths percent (54.5%) shall be
 13 retained by the county where the riverboat is located for
 14 appropriation by the county fiscal body after receiving a
 15 recommendation from the county executive.
 16 (B) Five percent (5%) of the admissions tax collected during
 17 the quarter shall be paid to a town having a population of more
 18 than two thousand (2,000) but less than three thousand five
 19 hundred (3,500) located in a county having a population of
 20 more than nineteen thousand five hundred (19,500) but less
 21 than twenty thousand (20,000). At least twenty percent (20%)
 22 of the taxes received by a town under this clause must be
 23 transferred to the school corporation in which the town is
 24 located.
 25 (C) Five percent (5%) of the admissions tax collected during
 26 the quarter shall be paid to a town having a population of more
 27 than three thousand five hundred (3,500) located in a county
 28 having a population of more than nineteen thousand five
 29 hundred (19,500) but less than twenty thousand (20,000). At
 30 least twenty percent (20%) of the taxes received by a town
 31 under this clause must be transferred to the school corporation
 32 in which the town is located.
 33 (D) Twenty percent (20%) of the admissions tax collected
 34 during the quarter shall be paid in equal amounts to each town
 35 that:
 36 (i) is located in the county in which the riverboat is located;
 37 and
 38 (ii) contains a historic hotel.
 39 At least twenty percent (20%) of the taxes received by a town
 40 under this clause must be transferred to the school corporation
 41 in which the town is located.
 42 (E) Ten percent (10%) of the admissions tax collected during

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1 the quarter shall be paid to the Orange County development
2 commission established under IC 36-7-11.5. At least one-third
3 (1/3) of the taxes paid to the Orange County development
4 commission under this clause must be transferred to the
5 Orange County convention and visitors bureau.
6 (F) Thirteen percent (13%) of the admissions tax collected
7 during the quarter shall be paid to the West Baden Springs
8 historic hotel preservation and maintenance fund established
9 by IC 36-7-11.5-11(b).
10 (G) Twenty-five percent (25%) of the admissions tax collected
11 during the quarter shall be paid to the Indiana economic
12 development corporation to be used by the corporation for the
13 development and implementation of a regional economic
14 development strategy to assist the residents of the county in
15 which the riverboat is located and residents of contiguous
16 counties in improving their quality of life and to help promote
17 successful and sustainable communities. The regional
18 economic development strategy must include goals concerning
19 the following issues:
20 (i) Job creation and retention.
21 (ii) Infrastructure, including water, wastewater, and storm
22 water infrastructure needs.
23 (iii) Housing.
24 (iv) Workforce training.
25 (v) Health care.
26 (vi) Local planning.
27 (vii) Land use.
28 (viii) Assistance to regional economic development groups.
29 (ix) Other regional development issues as determined by the
30 Indiana economic development corporation.
31 (2) With respect to admissions taxes collected for a person
32 admitted to the riverboat after June 30, 2010, the following
33 amounts:
34 (A) Twenty-nine and thirty-three hundredths percent (29.33%)
35 to the county treasurer of Orange County. The county treasurer
36 shall distribute the money received under this clause as
37 follows:
38 (i) Twenty-two and seventy-five hundredths percent
39 (22.75%) to the county treasurer of Dubois County for
40 distribution in the manner described in subdivision
41 (1)(A)(i).
42 (ii) Twenty-two and seventy-five hundredths percent

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- 1 (22.75%) to the county treasurer of Crawford County for
- 2 distribution in the manner described in subdivision
- 3 (1)(A)(ii).
- 4 (iii) Fifty-four and five-tenths percent (54.5%) to be retained
- 5 by the county treasurer of Orange County for appropriation
- 6 by the county fiscal body after receiving a recommendation
- 7 from the county executive.
- 8 (B) Six and sixty-seven hundredths percent (6.67%) to the
- 9 fiscal officer of the town of Orleans. At least twenty percent
- 10 (20%) of the taxes received by the town under this clause must
- 11 be transferred to Orleans Community Schools.
- 12 (C) Six and sixty-seven hundredths percent (6.67%) to the
- 13 fiscal officer of the town of Paoli. At least twenty percent
- 14 (20%) of the taxes received by the town under this clause must
- 15 be transferred to the Paoli Community School Corporation.
- 16 (D) Twenty-six and sixty-seven hundredths percent (26.67%)
- 17 to be paid in equal amounts to the fiscal officers of the towns
- 18 of French Lick and West Baden Springs. At least twenty
- 19 percent (20%) of the taxes received by a town under this
- 20 clause must be transferred to the Springs Valley Community
- 21 School Corporation.
- 22 (E) Thirty and sixty-six hundredths percent (30.66%) to the
- 23 Indiana economic development corporation to be used in the
- 24 manner described in subdivision (1)(G).
- 25 (d) With respect to tax revenue collected from a riverboat that
- 26 operates from a county having a population of more than four hundred
- 27 thousand (400,000) but less than seven hundred thousand (700,000),
- 28 the treasurer of state shall quarterly pay the following amounts:
- 29 (1) Except as provided in subsection (k), one dollar (\$1) of the
- 30 admissions tax collected by the licensed owner for each person:
- 31 (A) embarking on a gambling excursion during the quarter; or
- 32 (B) admitted to a riverboat during the quarter that has
- 33 implemented flexible scheduling under IC 4-33-6-21;
- 34 shall be paid to the city in which the riverboat is ~~docked~~ **located**.
- 35 (2) Except as provided in subsection (k), one dollar (\$1) 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 county in which the riverboat is ~~docked~~
- 41 **located**.
- 42 (3) Except as provided in subsection (k), nine cents (\$0.09) of the

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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 county convention and visitors bureau or
6 promotion fund for the county in which the riverboat is ~~docked~~
7 **located.**

8 (4) Except as provided in subsection (k), one cent (\$0.01) of the
9 admissions tax collected by the licensed owner for each person:

10 (A) embarking on a gambling excursion during the quarter; or

11 (B) admitted to a riverboat during the quarter that has
12 implemented flexible scheduling under IC 4-33-6-21;

13 shall be paid to the northwest Indiana law enforcement training
14 center.

15 (5) Except as provided in subsection (k), fifteen cents (\$0.15) of
16 the admissions tax collected by the licensed owner for each
17 person:

18 (A) embarking on a gambling excursion during the quarter; or

19 (B) admitted to a riverboat during a quarter that has
20 implemented flexible scheduling under IC 4-33-6-21;

21 shall be paid to the state fair commission for use in any activity
22 that the commission is authorized to carry out under IC 15-13-3.

23 (6) Except as provided in subsection (k), ten cents (\$0.10) of the
24 admissions tax collected by the licensed owner for each person:

25 (A) embarking on a gambling excursion during the quarter; or

26 (B) admitted to a riverboat during the quarter that has
27 implemented flexible scheduling under IC 4-33-6-21;

28 shall be paid to the division of mental health and addiction. The
29 division shall allocate at least twenty-five percent (25%) of the
30 funds derived from the admissions tax to the prevention and
31 treatment of compulsive gambling.

32 (7) Except as provided in subsection (k) and section 7 of this
33 chapter, sixty-five cents (\$0.65) of the admissions tax collected by
34 the licensed owner for each person embarking on a gambling
35 excursion during the quarter or admitted to a riverboat during the
36 quarter that has implemented flexible scheduling under
37 IC 4-33-6-21 shall be paid to the Indiana horse racing commission
38 to be distributed as follows, in amounts determined by the Indiana
39 horse racing commission, for the promotion and operation of
40 horse racing in Indiana:

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

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- 1 (B) To a racetrack that was approved by the Indiana horse
- 2 racing commission under IC 4-31. The commission may make
- 3 a grant under this clause only for purses, promotions, and
- 4 routine operations of the racetrack. No grants shall be made
- 5 for long term capital investment or construction, and no grants
- 6 shall be made before the racetrack becomes operational and is
- 7 offering a racing schedule.
- 8 (e) Money paid to a unit of local government under subsection (b),
- 9 (c), or (d):
- 10 (1) must be paid to the fiscal officer of the unit and may be
- 11 deposited in the unit's general fund or riverboat fund established
- 12 under IC 36-1-8-9, or both;
- 13 (2) may not be used to reduce the unit's maximum levy under
- 14 IC 6-1.1-18.5 but may be used at the discretion of the unit to
- 15 reduce the property tax levy of the unit for a particular year;
- 16 (3) may be used for any legal or corporate purpose of the unit,
- 17 including the pledge of money to bonds, leases, or other
- 18 obligations under IC 5-1-14-4; and
- 19 (4) is considered miscellaneous revenue.
- 20 (f) Money paid by the treasurer of state under subsection (b)(3) or
- 21 (d)(3) shall be:
- 22 (1) deposited in:
- 23 (A) the county convention and visitor promotion fund; or
- 24 (B) the county's general fund if the county does not have a
- 25 convention and visitor promotion fund; and
- 26 (2) used only for the tourism promotion, advertising, and
- 27 economic development activities of the county and community.
- 28 (g) Money received by the division of mental health and addiction
- 29 under subsections (b)(5) and (d)(6):
- 30 (1) is annually appropriated to the division of mental health and
- 31 addiction;
- 32 (2) shall be distributed to the division of mental health and
- 33 addiction at times during each state fiscal year determined by the
- 34 budget agency; and
- 35 (3) shall be used by the division of mental health and addiction
- 36 for programs and facilities for the prevention and treatment of
- 37 addictions to drugs, alcohol, and compulsive gambling, including
- 38 the creation and maintenance of a toll free telephone line to
- 39 provide the public with information about these addictions. The
- 40 division shall allocate at least twenty-five percent (25%) of the
- 41 money received to the prevention and treatment of compulsive
- 42 gambling.

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1 (h) This subsection applies to the following:

2 (1) Each entity receiving money under subsection (b).

3 (2) Each entity receiving money under subsection (d)(1) through
4 (d)(2).

5 (3) Each entity receiving money under subsection (d)(5) through
6 (d)(7).

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

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

24 (j) This subsection does not apply to an entity receiving money
25 under subsection (c). For state fiscal years beginning after June 30,
26 2002, the total amount of money distributed to an entity under this
27 section during a state fiscal year may not exceed the entity's base year
28 revenue as determined under subsection (h) or (i). If the treasurer of
29 state determines that the total amount of money distributed to an entity
30 under this section during a state fiscal year is less than the entity's base
31 year revenue, the treasurer of state shall make a supplemental
32 distribution to the entity under IC 4-33-13-5(g).

33 (k) This subsection does not apply to an entity receiving money
34 under subsection (c). For state fiscal years beginning after June 30,
35 2002, the treasurer of state shall pay that part of the riverboat
36 admissions taxes that:

37 (1) exceeds a particular entity's base year revenue; and

38 (2) would otherwise be due to the entity under this section;

39 to the state general fund instead of to the entity.

40 SECTION 17. IC 4-33-13-5, AS AMENDED BY P.L.119-2012,
41 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2013]: Sec. 5. (a) This subsection does not apply to tax

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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), twenty-five percent (25%) of the
10 remaining tax revenue remitted by each licensed owner shall be
11 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 county having a population of more
17 than four hundred thousand (400,000) but less than seven
18 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

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

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1 by the county in which the riverboat is located for
 2 appropriation by the county fiscal body after receiving a
 3 recommendation from the county executive.

4 (6) Five percent (5%) shall be paid to a town having a population
 5 of more than two thousand (2,000) but less than three thousand
 6 five hundred (3,500) located in a county having a population of
 7 more than nineteen thousand five hundred (19,500) but less than
 8 twenty thousand (20,000). At least forty percent (40%) of the
 9 taxes received by a town under this subdivision must be
 10 transferred to the school corporation in which the town is located.

11 (7) Five percent (5%) shall be paid to a town having a population
 12 of more than three thousand five hundred (3,500) located in a
 13 county having a population of more than nineteen thousand five
 14 hundred (19,500) but less than twenty thousand (20,000). At least
 15 forty percent (40%) of the taxes received by a town under this
 16 subdivision must be transferred to the school corporation in which
 17 the town is located.

18 (8) Five-tenths percent (0.5%) of the taxes imposed on adjusted
 19 gross receipts received after June 30, 2010, shall be paid to the
 20 Indiana economic development corporation established by
 21 IC 5-28-3-1.

22 (c) For each city and county receiving money under subsection
 23 (a)(2), the treasurer of state shall determine the total amount of money
 24 paid by the treasurer of state to the city or county during the state fiscal
 25 year 2002. The amount determined is the base year revenue for the city
 26 or county. The treasurer of state shall certify the base year revenue
 27 determined under this subsection to the city or county. The total
 28 amount of money distributed to a city or county under this section
 29 during a state fiscal year may not exceed the entity's base year revenue.
 30 For each state fiscal year, the treasurer of state shall pay that part of the
 31 riverboat wagering taxes that:
 32 (1) exceeds a particular city's or county's base year revenue; and
 33 (2) would otherwise be due to the city or county under this
 34 section;
 35 to the state general fund instead of to the city or county.

36 (d) Each state fiscal year the treasurer of state shall transfer from the
 37 tax revenue remitted to the state general fund under subsection (a)(3)
 38 to the build Indiana fund an amount that when added to the following
 39 may not exceed two hundred fifty million dollars (\$250,000,000):
 40 (1) Surplus lottery revenues under IC 4-30-17-3.
 41 (2) Surplus revenue from the charity gaming enforcement fund
 42 under IC 4-32.2-7-7.

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1 (3) Tax revenue from pari-mutuel wagering under IC 4-31-9-3.
 2 The treasurer of state shall make transfers on a monthly basis as needed
 3 to meet the obligations of the build Indiana fund. If in any state fiscal
 4 year insufficient money is transferred to the state general fund under
 5 subsection (a)(3) to comply with this subsection, the treasurer of state
 6 shall reduce the amount transferred to the build Indiana fund to the
 7 amount available in the state general fund from the transfers under
 8 subsection (a)(3) for the state fiscal year.

9 (e) Before August 15 of each year, the treasurer of state shall
 10 distribute the wagering taxes set aside for revenue sharing under
 11 subsection (a)(1) to the county treasurer of each county that does not
 12 have a riverboat according to the ratio that the county's population
 13 bears to the total population of the counties that do not have a
 14 riverboat. Except as provided in subsection (h), the county auditor shall
 15 distribute the money received by the county under this subsection as
 16 follows:

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

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

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

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

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

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

32 (3) To fund sewer and water projects, including storm water
 33 management projects.

34 (4) For police and fire pensions.

35 (5) To carry out any governmental purpose for which the money
 36 is appropriated by the fiscal body of the city, town, or county.
 37 Money used under this subdivision does not reduce the property
 38 tax levy of the city, town, or county for a particular year or reduce
 39 the maximum levy of the city, town, or county under
 40 IC 6-1.1-18.5.

41 (g) This subsection does not apply to an entity receiving money
 42 under IC 4-33-12-6(c). Before September 15 of each year, the treasurer

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1 of state shall determine the total amount of money distributed to an
 2 entity under IC 4-33-12-6 during the preceding state fiscal year. If the
 3 treasurer of state determines that the total amount of money distributed
 4 to an entity under IC 4-33-12-6 during the preceding state fiscal year
 5 was less than the entity's base year revenue (as determined under
 6 IC 4-33-12-6), the treasurer of state shall make a supplemental
 7 distribution to the entity from taxes collected under this chapter and
 8 deposited into the state general fund. Except as provided in subsection
 9 (i), the amount of an entity's supplemental distribution is equal to:

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

12 (2) the sum of:

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

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

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

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

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

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

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

32 SECTION 18. IC 4-33-13-6 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. (a) Money paid to a
 34 unit of local government under this chapter:

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

38 (2) may not be used to reduce the unit's maximum or actual levy
 39 under IC 6-1.1-18.5; and

40 (3) may be used for any legal or corporate purpose of the unit,
 41 including the pledge of money to bonds, leases, or other
 42 obligations under IC 5-1-14-4.

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1 (b) This chapter does not prohibit the city or county designated as
 2 the home ~~dock~~ of the riverboat from entering into agreements with
 3 other units of local government in Indiana or in other states to share the
 4 city's or county's part of the tax revenue received under this chapter.

5 SECTION 19. IC 4-33-14-9 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 9. (a) This section
 7 applies to a person holding an owner's licenses for riverboats operated
 8 from a city described under IC 4-33-6-1(a)(1) through
 9 IC 4-33-6-1(a)(3).

10 (b) The commission shall require persons holding owner's licenses
 11 to adopt policies concerning the preferential hiring of residents of the
 12 city in which the riverboat ~~docks~~ **is located** for riverboat jobs.

13 SECTION 20. IC 4-33-21-7, AS ADDED BY P.L.142-2009,
 14 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2013]: Sec. 7. (a) A trustee acting under the authority of this
 16 chapter must fulfill the trustee's duties as a fiduciary for the owner of
 17 the riverboat. In addition, the trustee shall consider the effect of the
 18 trustee's actions upon:

- 19 (1) the amount of taxes remitted by the trustee under IC 4-33-12
 20 and IC 4-33-13;
 21 (2) the ~~riverboat's dock~~ **city or and county in which the riverboat**
 22 **is located;**
 23 (3) the riverboat's employees; and
 24 (4) the creditors of the owner of the riverboat.

25 (b) In balancing the interests described in subsection (a), a trustee
 26 shall conduct gambling operations on the riverboat in a manner that
 27 enhances the credibility and integrity of riverboat gambling in Indiana
 28 while minimizing disruptions to tax revenues, incentive payments,
 29 employment, and credit obligations.

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