

HOUSE BILL No. 1569

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-33.

Synopsis: Land based casinos. Authorizes a licensed owner to move riverboat gambling operations to an inland location if approved by the gaming commission. Specifies the sites to which a gambling operation may be relocated. 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 22, 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. 1569



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 a new riverboat under**
 28 **section 24 of this chapter; or**
 29 **(2) a person applying for an owner's license to assume control**
 30 **of a riverboat operating from a dock previously approved by**
 31 **the commission.**

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

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

- 40 (1) the dock at which the riverboat is based and the navigable
 41 waterway on which the riverboat will operate; **or**
 42 (2) **in the case of an application for an owner's license to own**

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1 **and operate an inland casino under section 24 of this chapter,**
 2 **the site of the inland casino.**

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

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

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

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

24 **(d) A riverboat constructed under section 24 of this chapter**
 25 **must comply with all applicable building codes and any safety**
 26 **requirements imposed by the commission.**

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

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

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

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

40 **(e) An owner's license issued with respect to a riverboat**
 41 **constructed under section 24 of this chapter must specify the site**
 42 **of the riverboat.**

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

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

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

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

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

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

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

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

40 **(1) The licensed owner submits an application on a form**
41 **prescribed by the commission for permission to relocate**
42 **gaming operations under this section.**

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- 1 **(2) The commission approves the licensed owner's application.**
- 2 **(3) The casino is located on any of the following sites:**
- 3 **(A) A property adjacent to the dock site of the licensed**
- 4 **owner's riverboat.**
- 5 **(B) A property located in the downtown area of the city**
- 6 **designated as the home of the riverboat under**
- 7 **IC 4-33-9-17.**
- 8 **(C) A property approved by either of the following:**
- 9 **(i) The county legislative body in the case of a riverboat**
- 10 **located in Harrison County or Switzerland County.**
- 11 **(ii) The legislative body of the city that is designated as**
- 12 **the home of the riverboat under IC 4-33-9-17 in the case**
- 13 **of any other riverboat operated by a licensed owner.**
- 14 **(4) The licensed owner begins construction of the casino**
- 15 **before January 1, 2016.**
- 16 **(5) The casino complies with all applicable building codes and**
- 17 **any safety requirements imposed by the commission.**
- 18 **(c) A licensed owner may not do the following:**
- 19 **(1) Simultaneously conduct gaming operations at an inland**
- 20 **casino and a docked riverboat.**
- 21 **(2) Offer more gaming positions in the casino than offered on**
- 22 **the docked riverboat on January 1, 2013.**
- 23 **(d) The commission shall consider the interests of the licensed**
- 24 **owner, the Indiana gaming industry, and the surrounding**
- 25 **communities when deciding whether to approve an application for**
- 26 **permission to relocate gaming operations. The commission may not**
- 27 **impose a fee for the privilege of relocating a gaming operation**
- 28 **under this section.**
- 29 SECTION 12. IC 4-33-9-10.5, AS ADDED BY P.L.15-2011,
- 30 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 31 JULY 1, 2013]: Sec. 10.5. (a) A licensed owner or an operating agent
- 32 may apply to the commission for approval to conduct card tournaments
- 33 at a facility other than the riverboat on which the licensed owner or
- 34 operating agent is authorized to conduct gambling games under this
- 35 article.
- 36 (b) The application must specify the facility in which the licensed
- 37 owner or operating agent will conduct the card tournament if the
- 38 application is approved. The facility must be in a hotel or other
- 39 permanent structure that is:
- 40 (1) owned or leased by the licensed owner or operating agent; and
- 41 (2) located on land that is adjacent to:
- 42 (A) the dock to which the applicant's riverboat is moored; or

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1 (B) the land on which the applicant's riverboat is situated, in
2 the case of an application submitted by an operating agent **or**
3 **the licensed owner of a riverboat relocated to an inland**
4 **location under IC 4-33-6-24.**

5 (c) The application must be submitted on a form prescribed by the
6 commission. The application must state the:

- 7 (1) date;
- 8 (2) time;
- 9 (3) place; and
- 10 (4) nature;

11 of the proposed card tournament. The commission may require the
12 applicant to submit any additional information relevant to the
13 commission's consideration of the application.

14 (d) As a condition of its approval, the commission may impose upon
15 the applicant any requirement that the commission determines is
16 necessary to protect the credibility and integrity of gambling operations
17 authorized by this article.

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

- 22 (1) while ~~on board~~ **present in** the riverboat; or
- 23 (2) at an on-shore facility that:
 - 24 (A) has been approved by the commission; and
 - 25 (B) is located where the riverboat docks.

26 (b) The tokens, chips, or electronic cards may be purchased by
27 means of an agreement under which the owner or operating agent
28 extends credit to the patron.

29 SECTION 14. IC 4-33-9-17 IS ADDED TO THE INDIANA CODE
30 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
31 1, 2013]: **Sec. 17. The following are designated as the homes of each**
32 **riverboat operating under this article:**

- 33 (1) **The city in which a riverboat is docked or located if the**
34 **riverboat is docked or located in:**
 - 35 (A) **a city adjacent to Lake Michigan; or**
 - 36 (B) **the largest city of a county adjacent to the Ohio River.**
- 37 (2) **The county in which a riverboat is docked or located if the**
38 **riverboat is docked or located in a county that is adjacent to**
39 **the Ohio River, but not docked or located in the largest city of**
40 **that county.**
- 41 (3) **The county in which the riverboat is located if the**
42 **riverboat is located in a historic hotel district.**

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

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

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

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

17 (A) the city in which the riverboat is ~~docked~~, **located**, if the
18 city:

19 (i) is located in a county having a population of more than
20 one hundred eleven thousand (111,000) but less than one
21 hundred fifteen thousand (115,000); or

22 (ii) is contiguous to the Ohio River and is the largest city in
23 the county; and

24 (B) the county in which the riverboat is ~~docked~~, **located**, if the
25 riverboat is not ~~docked~~ **located** in a city described in clause
26 (A).

27 (2) Except as provided in subsection (k), one dollar (\$1) of the
28 admissions tax collected by the licensed owner for each person:

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

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

32 shall be paid to the county in which the riverboat is ~~docked~~:
33 **located**. In the case of a county described in subdivision (1)(B),
34 this one dollar (\$1) is in addition to the one dollar (\$1) received
35 under subdivision (1)(B).

36 (3) 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 county convention and visitors bureau or
42 promotion fund for the county in which the riverboat is ~~docked~~:

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located.

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

- (A) embarking on a gambling excursion during the quarter; or
- (B) admitted to a riverboat during a quarter that has implemented flexible scheduling under IC 4-33-6-21;

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

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

- (A) embarking on a gambling excursion during the quarter; or
- (B) admitted to a riverboat during the quarter that has implemented flexible scheduling under IC 4-33-6-21;

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

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

- (A) To one (1) or more breed development funds established by the Indiana horse racing commission under IC 4-31-11-10.
- (B) To a racetrack that was approved by the Indiana horse racing commission under IC 4-31. The commission may make a grant under this clause only for purses, promotions, and routine operations of the racetrack. No grants shall be made for long term capital investment or construction, and no grants shall be made before the racetrack becomes operational and is offering a racing schedule.

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

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

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

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

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

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

(B) Five percent (5%) of the admissions tax collected during the quarter shall be paid to a town having a population of more than two thousand (2,000) but less than three thousand five hundred (3,500) located in a county having a population of more than nineteen thousand five hundred (19,500) but less than twenty thousand (20,000). At least twenty percent (20%) of the taxes received by a town under this clause must be transferred to the school corporation in which the town is located.

(C) Five percent (5%) of the admissions tax collected during the quarter shall be paid to a town having a population of more

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than three thousand five hundred (3,500) located in a county having a population of more than nineteen thousand five hundred (19,500) but less than twenty thousand (20,000). At least twenty percent (20%) of the taxes received by a town under this clause must be transferred to the school corporation in which the town is located.

(D) Twenty percent (20%) of the admissions tax collected during the quarter shall be paid in equal amounts to each town that:

- (i) is located in the county in which the riverboat is located; and
- (ii) contains a historic hotel.

At least twenty percent (20%) of the taxes received by a town under this clause must be transferred to the school corporation in which the town is located.

(E) Ten percent (10%) of the admissions tax collected during the quarter shall be paid to the Orange County development commission established under IC 36-7-11.5. At least one-third (1/3) of the taxes paid to the Orange County development commission under this clause must be transferred to the Orange County convention and visitors bureau.

(F) Thirteen percent (13%) of the admissions tax collected during the quarter shall be paid to the West Baden Springs historic hotel preservation and maintenance fund established by IC 36-7-11.5-11(b).

(G) Twenty-five percent (25%) of the admissions tax collected during the quarter shall be paid to the Indiana economic development corporation to be used by the corporation for the development and implementation of a regional economic development strategy to assist the residents of the county in which the riverboat is located and residents of contiguous counties in improving their quality of life and to help promote successful and sustainable communities. The regional economic development strategy must include goals concerning the following issues:

- (i) Job creation and retention.
- (ii) Infrastructure, including water, wastewater, and storm water infrastructure needs.
- (iii) Housing.
- (iv) Workforce training.
- (v) Health care.
- (vi) Local planning.

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- 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 county having a population of more than four hundred

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1 thousand (400,000) but less than seven hundred thousand (700,000),
 2 the treasurer of state shall quarterly pay the following amounts:

3 (1) Except as provided in subsection (k), one dollar (\$1) of the
 4 admissions tax collected by the licensed owner for each person:

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

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

8 shall be paid to the city in which the riverboat is ~~docked~~ **located**.

9 (2) Except as provided in subsection (k), one dollar (\$1) of the
 10 admissions tax collected by the licensed owner for each person:

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

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

14 shall be paid to the county in which the riverboat is ~~docked~~
 15 **located**.

16 (3) Except as provided in subsection (k), nine cents (\$0.09) of the
 17 admissions tax collected by the licensed owner for each person:

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

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

21 shall be paid to the county convention and visitors bureau or
 22 promotion fund for the county in which the riverboat is ~~docked~~
 23 **located**.

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

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

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

29 shall be paid to the northwest Indiana law enforcement training
 30 center.

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

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

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

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

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

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

42 (B) admitted to a riverboat during the quarter that has

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- 1 implemented flexible scheduling under IC 4-33-6-21;
- 2 shall be paid to the division of mental health and addiction. The
- 3 division shall allocate at least twenty-five percent (25%) of the
- 4 funds derived from the admissions tax to the prevention and
- 5 treatment of compulsive gambling.
- 6 (7) Except as provided in subsection (k) and section 7 of this
- 7 chapter, sixty-five cents (\$0.65) of the admissions tax collected by
- 8 the licensed owner for each person embarking on a gambling
- 9 excursion during the quarter or admitted to a riverboat during the
- 10 quarter that has implemented flexible scheduling under
- 11 IC 4-33-6-21 shall be paid to the Indiana horse racing commission
- 12 to be distributed as follows, in amounts determined by the Indiana
- 13 horse racing commission, for the promotion and operation of
- 14 horse racing in Indiana:
 - 15 (A) To one (1) or more breed development funds established
 - 16 by the Indiana horse racing commission under IC 4-31-11-10.
 - 17 (B) To a racetrack that was approved by the Indiana horse
 - 18 racing commission under IC 4-31. The commission may make
 - 19 a grant under this clause only for purses, promotions, and
 - 20 routine operations of the racetrack. No grants shall be made
 - 21 for long term capital investment or construction, and no grants
 - 22 shall be made before the racetrack becomes operational and is
 - 23 offering a racing schedule.
- 24 (e) Money paid to a unit of local government under subsection (b),
- 25 (c), or (d):
 - 26 (1) must be paid to the fiscal officer of the unit and may be
 - 27 deposited in the unit's general fund or riverboat fund established
 - 28 under IC 36-1-8-9, or both;
 - 29 (2) may not be used to reduce the unit's maximum levy under
 - 30 IC 6-1.1-18.5 but may be used at the discretion of the unit to
 - 31 reduce the property tax levy of the unit for a particular year;
 - 32 (3) may be used for any legal or corporate purpose of the unit,
 - 33 including the pledge of money to bonds, leases, or other
 - 34 obligations under IC 5-1-14-4; and
 - 35 (4) is considered miscellaneous revenue.
- 36 (f) Money paid by the treasurer of state under subsection (b)(3) or
- 37 (d)(3) shall be:
 - 38 (1) deposited in:
 - 39 (A) the county convention and visitor promotion fund; or
 - 40 (B) the county's general fund if the county does not have a
 - 41 convention and visitor promotion fund; and
 - 42 (2) used only for the tourism promotion, advertising, and

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1 economic development activities of the county and community.
 2 (g) Money received by the division of mental health and addiction
 3 under subsections (b)(5) and (d)(6):
 4 (1) is annually appropriated to the division of mental health and
 5 addiction;
 6 (2) shall be distributed to the division of mental health and
 7 addiction at times during each state fiscal year determined by the
 8 budget agency; and
 9 (3) shall be used by the division of mental health and addiction
 10 for programs and facilities for the prevention and treatment of
 11 addictions to drugs, alcohol, and compulsive gambling, including
 12 the creation and maintenance of a toll free telephone line to
 13 provide the public with information about these addictions. The
 14 division shall allocate at least twenty-five percent (25%) of the
 15 money received to the prevention and treatment of compulsive
 16 gambling.
 17 (h) This subsection applies to the following:
 18 (1) Each entity receiving money under subsection (b).
 19 (2) Each entity receiving money under subsection (d)(1) through
 20 (d)(2).
 21 (3) Each entity receiving money under subsection (d)(5) through
 22 (d)(7).
 23 The treasurer of state shall determine the total amount of money paid
 24 by the treasurer of state to an entity subject to this subsection during
 25 the state fiscal year 2002. The amount determined under this subsection
 26 is the base year revenue for each entity subject to this subsection. The
 27 treasurer of state shall certify the base year revenue determined under
 28 this subsection to each entity subject to this subsection.
 29 (i) This subsection applies to an entity receiving money under
 30 subsection (d)(3) or (d)(4). The treasurer of state shall determine the
 31 total amount of money paid by the treasurer of state to the entity
 32 described in subsection (d)(3) during state fiscal year 2002. The
 33 amount determined under this subsection multiplied by nine-tenths
 34 (0.9) is the base year revenue for the entity described in subsection
 35 (d)(3). The amount determined under this subsection multiplied by
 36 one-tenth (0.1) is the base year revenue for the entity described in
 37 subsection (d)(4). The treasurer of state shall certify the base year
 38 revenue determined under this subsection to each entity subject to this
 39 subsection.
 40 (j) This subsection does not apply to an entity receiving money
 41 under subsection (c). For state fiscal years beginning after June 30,
 42 2002, the total amount of money distributed to an entity under this

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1 section during a state fiscal year may not exceed the entity's base year
 2 revenue as determined under subsection (h) or (i). If the treasurer of
 3 state determines that the total amount of money distributed to an entity
 4 under this section during a state fiscal year is less than the entity's base
 5 year revenue, the treasurer of state shall make a supplemental
 6 distribution to the entity under IC 4-33-13-5(g).

7 (k) This subsection does not apply to an entity receiving money
 8 under subsection (c). For state fiscal years beginning after June 30,
 9 2002, the treasurer of state shall pay that part of the riverboat
 10 admissions taxes that:

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

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

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

14 SECTION 17. IC 4-33-13-5, AS AMENDED BY P.L.119-2012,
 15 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2013]: Sec. 5. (a) This subsection does not apply to tax
 17 revenue remitted by an operating agent operating a riverboat in a
 18 historic hotel district. After funds are appropriated under section 4 of
 19 this chapter, each month the treasurer of state shall distribute the tax
 20 revenue deposited in the state gaming fund under this chapter to the
 21 following:

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

25 (2) Subject to subsection (c), twenty-five percent (25%) of the
 26 remaining tax revenue remitted by each licensed owner shall be
 27 paid:

28 (A) to the city that is designated as the home ~~dock~~ of the
 29 riverboat from which the tax revenue was collected, in the case
 30 of:

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

32 (ii) a city located in a county having a population of more
 33 than four hundred thousand (400,000) but less than seven
 34 hundred thousand (700,000); or

35 (B) to the county that is designated as the home ~~dock~~ of the
 36 riverboat from which the tax revenue was collected, in the case
 37 of a riverboat whose home ~~dock~~ is not in a city described in
 38 clause (A).

39 (3) Subject to subsection (d), the remainder of the tax revenue
 40 remitted by each licensed owner shall be paid to the state general
 41 fund. In each state fiscal year, the treasurer of state shall make the
 42 transfer required by this subdivision not later than the last

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1 business day of the month in which the tax revenue is remitted to
2 the state for deposit in the state gaming fund. However, if tax
3 revenue is received by the state on the last business day in a
4 month, the treasurer of state may transfer the tax revenue to the
5 state general fund in the immediately following month.

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

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

13 (2) Nineteen percent (19%) shall be paid to the West Baden
14 Springs historic hotel preservation and maintenance fund
15 established by IC 36-7-11.5-11(b). However, at any time the
16 balance in that fund exceeds twenty million dollars
17 (\$20,000,000), the amount described in this subdivision shall be
18 paid to the state general fund.

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

21 (4) Sixteen percent (16%) shall be paid in equal amounts to each
22 town that is located in the county in which the riverboat is located
23 and contains a historic hotel. The following apply to taxes
24 received by a town under this subdivision:

25 (A) At least twenty-five percent (25%) of the taxes must be
26 transferred to the school corporation in which the town is
27 located.

28 (B) At least twelve and five-tenths percent (12.5%) of the
29 taxes imposed on adjusted gross receipts received after June
30 30, 2010, must be transferred to the Orange County
31 development commission established by IC 36-7-11.5-3.5.

32 (5) Nine percent (9%) shall be paid to the county treasurer of the
33 county in which the riverboat is located. The county treasurer
34 shall distribute the money received under this subdivision as
35 follows:

36 (A) Twenty-two and twenty-five hundredths percent (22.25%)
37 shall be quarterly distributed to the county treasurer of a
38 county having a population of more than forty thousand
39 (40,000) but less than forty-two thousand (42,000) for
40 appropriation by the county fiscal body after receiving a
41 recommendation from the county executive. The county fiscal
42 body for the receiving county shall provide for the distribution

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1 of the money received under this clause to one (1) or more
 2 taxing units (as defined in IC 6-1.1-1-21) in the county under
 3 a formula established by the county fiscal body after receiving
 4 a recommendation from the county executive.
 5 (B) Twenty-two and twenty-five hundredths percent (22.25%)
 6 shall be quarterly distributed to the county treasurer of a
 7 county having a population of more than ten thousand seven
 8 hundred (10,700) but less than twelve thousand (12,000) for
 9 appropriation by the county fiscal body after receiving a
 10 recommendation from the county executive. The county fiscal
 11 body for the receiving county shall provide for the distribution
 12 of the money received under this clause to one (1) or more
 13 taxing units (as defined in IC 6-1.1-1-21) in the county under
 14 a formula established by the county fiscal body after receiving
 15 a recommendation from the county executive.
 16 (C) Fifty-five and five-tenths percent (55.5%) shall be retained
 17 by the county in which the riverboat is located for
 18 appropriation by the county fiscal body after receiving a
 19 recommendation from the county executive.
 20 (6) Five percent (5%) shall be paid to a town having a population
 21 of more than two thousand (2,000) but less than three thousand
 22 five hundred (3,500) located in a county having a population of
 23 more than nineteen thousand five hundred (19,500) but less than
 24 twenty thousand (20,000). At least forty percent (40%) of the
 25 taxes received by a town under this subdivision must be
 26 transferred to the school corporation in which the town is located.
 27 (7) Five percent (5%) shall be paid to a town having a population
 28 of more than three thousand five hundred (3,500) located in a
 29 county having a population of more than nineteen thousand five
 30 hundred (19,500) but less than twenty thousand (20,000). At least
 31 forty percent (40%) of the taxes received by a town under this
 32 subdivision must be transferred to the school corporation in which
 33 the town is located.
 34 (8) Five-tenths percent (0.5%) of the taxes imposed on adjusted
 35 gross receipts received after June 30, 2010, shall be paid to the
 36 Indiana economic development corporation established by
 37 IC 5-28-3-1.
 38 (c) For each city and county receiving money under subsection
 39 (a)(2), the treasurer of state shall determine the total amount of money
 40 paid by the treasurer of state to the city or county during the state fiscal
 41 year 2002. The amount determined is the base year revenue for the city
 42 or county. The treasurer of state shall certify the base year revenue

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1 determined under this subsection to the city or county. The total
 2 amount of money distributed to a city or county under this section
 3 during a state fiscal year may not exceed the entity's base year revenue.
 4 For each state fiscal year, the treasurer of state shall pay that part of the
 5 riverboat wagering taxes that:

- 6 (1) exceeds a particular city's or county's base year revenue; and
- 7 (2) would otherwise be due to the city or county under this
 8 section;

9 to the state general fund instead of to the city or county.

10 (d) Each state fiscal year the treasurer of state shall transfer from the
 11 tax revenue remitted to the state general fund under subsection (a)(3)
 12 to the build Indiana fund an amount that when added to the following
 13 may not exceed two hundred fifty million dollars (\$250,000,000):

- 14 (1) Surplus lottery revenues under IC 4-30-17-3.
- 15 (2) Surplus revenue from the charity gaming enforcement fund
 16 under IC 4-32.2-7-7.
- 17 (3) Tax revenue from pari-mutuel wagering under IC 4-31-9-3.

18 The treasurer of state shall make transfers on a monthly basis as needed
 19 to meet the obligations of the build Indiana fund. If in any state fiscal
 20 year insufficient money is transferred to the state general fund under
 21 subsection (a)(3) to comply with this subsection, the treasurer of state
 22 shall reduce the amount transferred to the build Indiana fund to the
 23 amount available in the state general fund from the transfers under
 24 subsection (a)(3) for the state fiscal year.

25 (e) Before August 15 of each year, the treasurer of state shall
 26 distribute the wagering taxes set aside for revenue sharing under
 27 subsection (a)(1) to the county treasurer of each county that does not
 28 have a riverboat according to the ratio that the county's population
 29 bears to the total population of the counties that do not have a
 30 riverboat. Except as provided in subsection (h), the county auditor shall
 31 distribute the money received by the county under this subsection as
 32 follows:

- 33 (1) To each city located in the county according to the ratio the
 34 city's population bears to the total population of the county.
- 35 (2) To each town located in the county according to the ratio the
 36 town's population bears to the total population of the county.
- 37 (3) After the distributions required in subdivisions (1) and (2) are
 38 made, the remainder shall be retained by the county.

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

- 41 (1) To reduce the property tax levy of the city, town, or county for
 42 a particular year (a property tax reduction under this subdivision

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- 1 does not reduce the maximum levy of the city, town, or county
 2 under IC 6-1.1-18.5).
- 3 (2) For deposit in a special fund or allocation fund created under
 4 IC 8-22-3.5, IC 36-7-14, IC 36-7-14.5, IC 36-7-15.1, and
 5 IC 36-7-30 to provide funding for debt repayment.
- 6 (3) To fund sewer and water projects, including storm water
 7 management projects.
- 8 (4) For police and fire pensions.
- 9 (5) To carry out any governmental purpose for which the money
 10 is appropriated by the fiscal body of the city, town, or county.
 11 Money used under this subdivision does not reduce the property
 12 tax levy of the city, town, or county for a particular year or reduce
 13 the maximum levy of the city, town, or county under
 14 IC 6-1.1-18.5.
- 15 (g) This subsection does not apply to an entity receiving money
 16 under IC 4-33-12-6(c). Before September 15 of each year, the treasurer
 17 of state shall determine the total amount of money distributed to an
 18 entity under IC 4-33-12-6 during the preceding state fiscal year. If the
 19 treasurer of state determines that the total amount of money distributed
 20 to an entity under IC 4-33-12-6 during the preceding state fiscal year
 21 was less than the entity's base year revenue (as determined under
 22 IC 4-33-12-6), the treasurer of state shall make a supplemental
 23 distribution to the entity from taxes collected under this chapter and
 24 deposited into the state general fund. Except as provided in subsection
 25 (i), the amount of an entity's supplemental distribution is equal to:
- 26 (1) the entity's base year revenue (as determined under
 27 IC 4-33-12-6); minus
- 28 (2) the sum of:
- 29 (A) the total amount of money distributed to the entity during
 30 the preceding state fiscal year under IC 4-33-12-6; plus
- 31 (B) any amounts deducted under IC 6-3.1-20-7.
- 32 (h) This subsection applies only to a county containing a
 33 consolidated city. The county auditor shall distribute the money
 34 received by the county under subsection (e) as follows:
- 35 (1) To each city, other than a consolidated city, located in the
 36 county according to the ratio that the city's population bears to the
 37 total population of the county.
- 38 (2) To each town located in the county according to the ratio that
 39 the town's population bears to the total population of the county.
- 40 (3) After the distributions required in subdivisions (1) and (2) are
 41 made, the remainder shall be paid in equal amounts to the
 42 consolidated city and the county.

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

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

9 (1) must be paid to the fiscal officer of the unit and may be
10 deposited in the unit's general fund or riverboat fund established

11 under IC 36-1-8-9, or both;

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

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

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

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

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

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

35 (1) the amount of taxes remitted by the trustee under IC 4-33-12
36 and IC 4-33-13;

37 (2) ~~the riverboat's dock city or~~ **and county in which the riverboat**
38 **is located;**

39 (3) the riverboat's employees; and

40 (4) the creditors of the owner of the riverboat.

41 (b) In balancing the interests described in subsection (a), a trustee
42 shall conduct gambling operations on the riverboat in a manner that

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- 1 enhances the credibility and integrity of riverboat gambling in Indiana
- 2 while minimizing disruptions to tax revenues, incentive payments,
- 3 employment, and credit obligations.

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