

IC 34-16

ARTICLE 16. CAUSES OF ACTION: GAMBLING DEBTS AND LOSSES

IC 34-16-1

Chapter 1. Gambling Debts and Losses

IC 34-16-1-1

Void instruments

Sec. 1. A note, bill, bond, conveyance, contract, mortgage, or other security made in consideration of:

- (1) money or other property won as the result of a wager; or
- (2) the repayment of money lent at the time of a wager for the purpose of being wagered;

is void.

As added by P.L.1-1998, SEC.11.

IC 34-16-1-2

Debtor; civil action to recover losses; limitation

Sec. 2. If a person, by betting on a game or on the hands or sides of persons playing a game:

- (1) loses any money or other property; and
- (2) delivers any part of the money or other property;

the person may bring a civil action, within one hundred eighty (180) days, to recover the money or other property so lost and delivered.

As added by P.L.1-1998, SEC.11.

IC 34-16-1-3

Pleading

Sec. 3. In the civil action, it is sufficient for the plaintiff to allege that the defendant has received the money or other property so lost and delivered.

As added by P.L.1-1998, SEC.11.

IC 34-16-1-4

Prosecuting attorney; civil action to recover losses

Sec. 4. If, within the one hundred eighty (180) day period, the person fails to sue or to effectively prosecute the action, the prosecuting attorney of the county shall bring a civil action to recover the money or other property so lost and delivered, in the name of the state and for the benefit of:

- (1) the person's dependent children who are less than eighteen (18) years of age and the person's spouse; or
- (2) if there are no children or spouse, the state general fund.

As added by P.L.1-1998, SEC.11. Amended by P.L.246-2005, SEC.224.

IC 34-16-1-5

Discovery

Sec. 5. A person who is sued under this chapter (or IC 34-4-28

before its repeal) shall answer, under oath or affirmation, questions concerning the money or other property the defendant is alleged to have received.

As added by P.L.1-1998, SEC.11. Amended by P.L.1-2009, SEC.161.