

IC 4-33-10

Chapter 10. Crimes and Penalties

IC 4-33-10-1

Class A misdemeanors

Sec. 1. (a) A person who knowingly or intentionally:

- (1) makes a false statement on an application submitted under this article;
- (2) operates a gambling operation or a cruise in which wagering is conducted or is to be conducted in a manner other than the manner required under this article;
- (3) permits a person less than twenty-one (21) years of age to make a wager;
- (4) aids, induces, or causes a person less than twenty-one (21) years of age who is not an employee of the riverboat gambling operation to enter or attempt to enter a riverboat;
- (5) wagers or accepts a wager at a location other than a riverboat; or
- (6) makes a false statement on an application submitted to the commission under this article;

commits a Class A misdemeanor.

(b) A person who:

- (1) is not an employee of the riverboat gambling operation;
- (2) is less than twenty-one (21) years of age; and
- (3) knowingly or intentionally enters or attempts to enter a riverboat;

commits a Class A misdemeanor.

As added by P.L.277-1993(ss), SEC.124. Amended by P.L.192-2002(ss), SEC.19.

IC 4-33-10-2

Class D felonies

Sec. 2. A person who knowingly or intentionally does any of the following commits a Class D felony:

- (1) Offers, promises, or gives anything of value or benefit:
 - (A) to a person who is connected with the owner or operating agent of a riverboat, including an officer or an employee of a riverboat owner, an operating agent, or a holder of an occupational license; and
 - (B) under an agreement to influence or with the intent to influence:
 - (i) the actions of the person to whom the offer, promise, or gift was made in order to affect or attempt to affect the outcome of a gambling game; or
 - (ii) an official action of a commission member.
- (2) Solicits, accepts, or receives a promise of anything of value or benefit:
 - (A) while the person is connected with a riverboat, including an officer or employee of a licensed owner, an operating agent, or a holder of an occupational license; and

- (B) under an agreement to influence or with the intent to influence:
 - (i) the actions of the person to affect or attempt to affect the outcome of a gambling game; or
 - (ii) an official action of a commission member.
- (3) Uses or possesses with the intent to use a device to assist in:
 - (A) projecting the outcome of the game;
 - (B) keeping track of the cards played;
 - (C) analyzing the probability of the occurrence of an event relating to the gambling game; or
 - (D) analyzing the strategy for playing or betting to be used in the game, except as permitted by the commission.
- (4) Cheats at a gambling game.
- (5) Manufactures, sells, or distributes any cards, chips, dice, game, or device that is intended to be used to violate this article.
- (6) Alters or misrepresents the outcome of a gambling game on which wagers have been made after the outcome is made sure but before the outcome is revealed to the players.
- (7) Places a bet on the outcome of a gambling game after acquiring knowledge that:
 - (A) is not available to all players; and
 - (B) concerns the outcome of the gambling game that is the subject of the bet.
- (8) Aids a person in acquiring the knowledge described in subdivision (7) for the purpose of placing a bet contingent on the outcome of a gambling game.
- (9) Claims, collects, takes, or attempts to claim, collect, or take money or anything of value in or from a gambling game:
 - (A) with the intent to defraud; or
 - (B) without having made a wager contingent on winning a gambling game.
- (10) Claims, collects, or takes an amount of money or thing of value of greater value than the amount won in a gambling game.
- (11) Uses or possesses counterfeit chips or tokens in or for use in a gambling game.
- (12) Possesses a key or device designed for:
 - (A) opening, entering, or affecting the operation of a gambling game, drop box, or an electronic or a mechanical device connected with the gambling game; or
 - (B) removing coins, tokens, chips, or other contents of a gambling game.

This subdivision does not apply to a licensee or an operating agent or an employee of a licensee or an operating agent acting in the course of the employee's employment.

- (13) Possesses materials used to manufacture a slug or device intended to be used in a manner that violates this article.

As added by P.L.277-1993(ss), SEC.124. Amended by P.L.20-1995, SEC.16; P.L.2-1998, SEC.11; P.L.92-2003, SEC.45.

IC 4-33-10-2.1

Licensees or persons who have an interest in a licensee; operating contract considered a license; operating agent considered a licensee

Sec. 2.1. (a) This section applies only to contributions made after June 30, 1996.

(b) The definitions in IC 3-5-2 apply to this section to the extent they do not conflict with the definitions in this article.

(c) As used in this section, "candidate" refers to any of the following:

- (1) A candidate for a state office.
- (2) A candidate for a legislative office.
- (3) A candidate for a local office.

(d) As used in this section, "committee" refers to any of the following:

- (1) A candidate's committee.
- (2) A regular party committee.
- (3) A committee organized by a legislative caucus of the house of the general assembly.
- (4) A committee organized by a legislative caucus of the senate of the general assembly.

(e) As used in this section, "license" means:

- (1) an owner's license issued under this article;
- (2) a supplier's license issued under this article to a supplier of gaming supplies or equipment, including electronic gaming equipment; or
- (3) an operating agent contract issued under this article.

(f) As used in this section, "licensee" means a person who holds a license. The term includes an operating agent.

(g) As used in this section, "officer" refers only to either of the following:

- (1) An individual listed as an officer of a corporation in the corporation's most recent annual report.
- (2) An individual who is a successor to an individual described in subdivision (1).

(h) For purposes of this section, a person is considered to have an interest in a licensee if the person satisfies any of the following:

- (1) The person holds at least a one percent (1%) interest in the licensee.
- (2) The person is an officer of the licensee.
- (3) The person is an officer of a person that holds at least a one percent (1%) interest in the licensee.
- (4) The person is a political action committee of the licensee.

(i) A licensee is considered to have made a contribution if a contribution is made by a person who has an interest in the licensee.

(j) A licensee or a person who has an interest in a licensee may not make a contribution to a candidate or a committee during the following periods:

- (1) The term during which the licensee holds a license.
- (2) The three (3) years following the final expiration or termination of the licensee's license.

(k) A person who knowingly or intentionally violates this section

commits a Class D felony.

As added by P.L.4-1996, SEC.94. Amended by P.L.92-2003, SEC.46.

IC 4-33-10-2.5

Prohibition on gifts to induce committee members on local public question

Sec. 2.5. (a) This section applies only to property given after June 30, 1996.

(b) The definitions in IC 3-5-2 apply to this section to the extent they do not conflict with the definitions in this article.

(c) As used in this section, "license" means:

- (1) an owner's license issued under this article;
- (2) a supplier's license issued under this article to a supplier of gaming supplies or equipment, including electronic gaming equipment; or
- (3) an operating agent contract entered into under this article.

(d) As used in this section, "licensee" means a person who holds a license. The term includes an operating agent.

(e) As used in this section, "officer" refers only to either of the following:

- (1) An individual listed as an officer of a corporation in the corporation's most recent annual report.
- (2) An individual who is a successor to an individual described in subdivision (1).

(f) For purposes of this section, a person is considered to have an interest in a licensee if the person satisfies any of the following:

- (1) The person holds at least a one percent (1%) interest in the licensee.
- (2) The person is an officer of the licensee.
- (3) The person is an officer of a person that holds at least a one percent (1%) interest in the licensee.
- (4) The person is a political action committee of the licensee.

(g) A licensee or a person with an interest in a licensee may not give any property (as defined in IC 35-41-1-23) to a member of a precinct committee to induce the member of the precinct committee to do any act or refrain from doing any act with respect to the approval of a local public question under IC 4-33-6-19.

(h) A person who knowingly or intentionally violates this section commits a Class D felony.

As added by P.L.24-1996, SEC.11. Amended by P.L.2-1997, SEC.14; P.L.92-2003, SEC.47.

IC 4-33-10-3

Possession of cheating devices; presumption

Sec. 3. The possession of more than one (1) of the devices described in section 2(3), 2(5), 2(12), or 2(13) of this chapter creates a rebuttable presumption that the possessor intended to use the devices for cheating.

As added by P.L.277-1993(ss), SEC.124. Amended by P.L.20-1995, SEC.17.

IC 4-33-10-4

Convicted felons; entering riverboats prohibited

Sec. 4. A person who is convicted of a felony described in this chapter is barred for life from entering a riverboat regulated under this article.

As added by P.L.277-1993(ss), SEC.124.

IC 4-33-10-5

Venue

Sec. 5. An action to prosecute a crime occurring on a riverboat while the riverboat is moored at a dock or during a cruise shall be tried in the county of the dock where the riverboat was moored or the cruise was initiated.

As added by P.L.277-1993(ss), SEC.124. Amended by P.L.192-2002(ss), SEC.20.