

IC 4-33-2

Chapter 2. Definitions

IC 4-33-2-1

Application

Sec. 1. The definitions in this chapter apply throughout this article.

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

IC 4-33-2-2

"Adjusted gross receipts"

Sec. 2. "Adjusted gross receipts" means:

(1) the total of all cash and property (including checks received by a licensee or an operating agent) whether collected or not, received by a licensee or an operating agent from gaming operations; minus

(2) the total of:

(A) all cash paid out as winnings to patrons; and

(B) uncollectible gaming receivables, not to exceed the lesser of:

(i) a reasonable provision for uncollectible patron checks received from gaming operations; or

(ii) two percent (2%) of the total of all sums, including checks, whether collected or not, less the amount paid out as winnings to patrons.

For purposes of this section, a counter or personal check that is invalid or unenforceable under this article is considered cash received by the licensee or operating agent from gaming operations.

As added by P.L.277-1993(ss), SEC.124. Amended by P.L.92-2003, SEC.3.

IC 4-33-2-3

"Approved hotel"

Sec. 3. "Approved hotel" means a hotel that contains:

(1) at least two hundred fifty (250) hotel rooms, or a lesser number established by the commission;

(2) indoor public space used for exhibit space;

(3) meeting rooms;

(4) banquet rooms;

(5) restaurants;

(6) lobbies;

(7) lounges or bars;

(8) show theaters;

(9) parking areas; and

(10) shops.

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

IC 4-33-2-3.7

"Bureau"

Sec. 3.7. "Bureau" refers to the child support bureau of the

department of child services established by IC 31-25-3-1.
As added by P.L.23-1996, SEC.7. Amended by P.L.145-2006, SEC.8.

IC 4-33-2-4

"Cheat"

Sec. 4. "Cheat" means to alter the selection of criteria that determine:

- (1) the result of a gambling game; or
- (2) the amount or frequency of payment in a gambling game.

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

IC 4-33-2-5

"Commission"

Sec. 5. "Commission" refers to the Indiana gaming commission established by IC 4-33-3.

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

IC 4-33-2-5.6

"Cruise"

Sec. 5.6. "Cruise" means operation of a riverboat for a gambling operation while the riverboat is not moored to a dock.

As added by P.L.192-2002(ss), SEC.6.

IC 4-33-2-5.8

"Delinquent"

Sec. 5.8. "Delinquent" means at least:

- (1) two thousand dollars (\$2,000); or
- (2) three (3) months;

past due on payment of court ordered child support.

As added by P.L.23-1996, SEC.8.

IC 4-33-2-6

"Department"

Sec. 6. "Department" refers to the department of state revenue.

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

IC 4-33-2-7

"Dock"

Sec. 7. "Dock" means the location where a riverboat moors for the purpose of embarking passengers for and disembarking passengers from the riverboat.

As added by P.L.277-1993(ss), SEC.124. Amended by P.L.192-2002(ss), SEC.7.

IC 4-33-2-7.5

"Flexible scheduling"

Sec. 7.5. "Flexible scheduling" refers to the practice of conducting gambling games and allowing the continuous ingress and egress of patrons for the purpose of gambling.

As added by P.L.192-2002(ss), SEC.8. Amended by P.L.15-2011,

SEC.1.

IC 4-33-2-8

"Gambling excursion"

Sec. 8. "Gambling excursion" means the time during which gambling games may be operated on a riverboat that has not implemented flexible scheduling under IC 4-33-6-21.

As added by P.L.277-1993(ss), SEC.124. Amended by P.L.192-2002(ss), SEC.9.

IC 4-33-2-9

"Gambling game"

Sec. 9. "Gambling game" includes any game approved by the commission as a wagering device.

As added by P.L.277-1993(ss), SEC.124. Amended by P.L.233-2007, SEC.12.

IC 4-33-2-10

"Gambling operation"

Sec. 10. "Gambling operation" means the conduct of authorized gambling games on a riverboat.

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

IC 4-33-2-11

"Gross receipts"

Sec. 11. "Gross receipts" means the total amount of money exchanged for the purchase of chips, tokens, or electronic cards by riverboat patrons.

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

IC 4-33-2-11.1

"Historic hotel"

Sec. 11.1. "Historic hotel" means a structure originally built as a hotel that:

- (1) contained at least three hundred (300) sleeping rooms on or before January 1, 1930;
- (2) is listed in, or is seeking listing in, the National Register of Historic Places; and
- (3) was regionally recognized for the mineral springs located on the property that were thought to have significant health benefits for the hotel's guests.

As added by P.L.92-2003, SEC.4.

IC 4-33-2-11.5

"Historic hotel district"

Sec. 11.5. "Historic hotel district" means a historic hotel district that is established under IC 36-7-11.5.

As added by P.L.92-2003, SEC.5.

IC 4-33-2-11.6

"Law enforcement agency"

Sec. 11.6. "Law enforcement agency" means any of the following:

- (1) The gaming agents of the Indiana gaming commission.
- (2) The state police department.
- (3) The conservation officers of the department of natural resources.
- (4) The state excise police of the alcohol and tobacco commission.
- (5) The gaming control officers of the Indiana gaming commission.
- (6) The enforcement department of the securities division of the office of the secretary of state.

As added by P.L.170-2005, SEC.1. Amended by P.L.227-2007, SEC.45; P.L.230-2007, SEC.3; P.L.3-2008, SEC.12.

IC 4-33-2-12

"Licensee"

Sec. 12. Except as provided in IC 4-33-10-2.1, "licensee" means a person holding a license issued under this article.

As added by P.L.277-1993(ss), SEC.124. Amended by P.L.4-1996, SEC.93.

IC 4-33-2-13

"Licensed owner"

Sec. 13. "Licensed owner" means a person that owns a riverboat that is licensed under this article.

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

IC 4-33-2-14

"Occupational license"

Sec. 14. "Occupational license" means a license issued by the commission under IC 4-33-8.

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

IC 4-33-2-14.5

"Operating agent"

Sec. 14.5. "Operating agent" means a person with whom the commission has entered into a contract under IC 4-33-6.5 to operate a riverboat in a historic hotel district.

As added by P.L.92-2003, SEC.6.

IC 4-33-2-14.6

"Operating agent contract"

Sec. 14.6. "Operating agent contract" refers to the contract entered into by the commission under IC 4-33-6.5 with respect to the operation of a riverboat in a historic hotel district.

As added by P.L.92-2003, SEC.7.

IC 4-33-2-15

"Owner's license"

Sec. 15. "Owner's license" means a license issued under IC 4-33-6 that allows a person to own and operate a riverboat.
As added by P.L.277-1993(ss), SEC.124.

IC 4-33-2-16

"Person"

Sec. 16. "Person" means an individual, a sole proprietorship, a partnership, an association, a fiduciary, a corporation, a limited liability company, or any other business entity.
As added by P.L.277-1993(ss), SEC.124.

IC 4-33-2-17

"Riverboat"

Sec. 17. "Riverboat" means any of the following on which lawful gambling is authorized under this article:

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

As added by P.L.277-1993(ss), SEC.124. Amended by P.L.92-2003, SEC.8; P.L.96-2010, SEC.1; P.L.15-2011, SEC.2.

IC 4-33-2-17.5

"Slot machine taxes"

Sec. 17.5. "Slot machine taxes" means the taxes imposed under IC 4-35-8-1 on the adjusted gross receipts of gambling games conducted under IC 4-35.
As added by P.L.233-2007, SEC.13.

IC 4-33-2-18

"Supplier's license"

Sec. 18. "Supplier's license" means a license issued under IC 4-33-7.
As added by P.L.277-1993(ss), SEC.124.

IC 4-33-2-19

"Trustee"

Sec. 19. "Trustee" means a person granted authority under IC 4-33-21 to conduct gambling operations on a riverboat for the mutual benefit of:

- (1) the state; and
- (2) the owner of the riverboat.

As added by P.L.142-2009, SEC.2.