

RESOLUTION 2025-150

A RESOLUTION TEMPORARILY ASSIGNING TO THE EXECUTIVE DIRECTOR THE AUTHORITY TO APPROVE THE ADOPTION OF ADMINISTRATIVE RULES

The Indiana Gaming Commission (“Commission”) adopts the following resolution pursuant to the authority granted to it under Ind. Code art. 4-32.3; 4-33; 4-35; and 4-38.

The Commission has considered the following factors:

1. The Commission has the authority to create and adopt rules under Ind. Code ch. 4-22-2 regarding charity gaming pursuant to Ind. Code § 4-32.3-3-3; regarding riverboat gambling and operations pursuant to Ind. Codes §§ 4-33-4-2 and 4-33-4-3; regarding combative athletics pursuant to Ind. Code § 4-33-22-12; regarding paid fantasy sports pursuant to Ind. Code § 4-33-24-13; regarding gambling games at racetracks pursuant to Ind. Codes §§ 4-35-4-2 and 4-35-4-3; and regarding sports wagering pursuant to Ind. Code 4-38-3-1.
2. Ind. Code § 4-32.3-3-1 allows the Commission to assign to the Executive Director any duty imposed on the Commission by Ind. Code art. 4-32.3 and allows the Executive Director any power conferred upon the Executive Director by the Commission. Ind. Code § 4-33-3-18 allows the Commission to assign to the Executive Director any duty imposed on the Commission by Ind. Code art. 4-33 and allows the Executive Director any power conferred upon the Executive Director by the Commission. Ind. Code § 4-35-4-1 allows the Commission to assign to the Executive Director any duty imposed on the Commission by Ind. Code art. 4-35 and allows the Executive Director any power conferred upon the Executive Director by the Commission. Ind. Code § 4-38-1-4 grants the Commission all powers necessary and proper to fully and effectively execute Ind. Code art. 4-38 and allows the Commission to take any reasonable or appropriate steps to enforce the article.
3. In Resolution 2019-113, the Commission conferred broad power and authority to the Executive Directory to administer charity gaming but specifically withheld the assignment of the powers and duties regarding the adoption of administrative rules. In Resolution 2019-155, the Commission conferred broad power and authority to the Executive Directory to administer sports wagering but specifically withheld the assignment of the powers and duties regarding the adoption of administrative rules.
4. During the 2025 legislative session, the Commission was directed to adopt rules under Senate Enrolled Act 108 regarding newly allowed electronic raffles, under Senate Enrolled Act 209 regarding newly allowed electronic pull tab systems, and under House Enrolled Act 1073 regarding various martial arts and bare-knuckle fighting.
5. Additionally, administrative rules expire on January 1st of the fifth year after the year in which the rules take effect unless the rules contain an earlier expiration date. 68 IAC 21 is set to expire January 1, 2026. The statute provides an abbreviated readoption process

for rules that are not to be edited. As part of this abbreviated process, Commission staff filed the Legislative Notice of Readoption, completed a readoption review, and filed the Notice of Public Comment Period for Rule Readoption regarding these rules. The Notice of Public Comment Period was published in the Indiana Register on August 27, 2025 and will end September 26, 2025. To be effective January 1, 2026, the rules must be readopted prior to December 1, 2025. However, the next scheduled Commission meeting is not until December 18, 2025.

6. Due to the time constraints involved in the rule making process, the Commission and various industries' mutual interest in quickly promulgating rules for adoption, and that the administrative rules are still under outside agency review for approval and/or public review, the Commission finds it in the best interest to temporarily confer rule adoption power and authority to the Executive Director so that the administrative rules can be adopted by statutorily required deadlines and for prompt use by affected industries.

NOW, THEREFORE, BE IT RESOLVED BY THE INDIANA GAMING COMMISSION THAT THE FOLLOWING RESOLUTION IS ADOPTED:

SECTION 1. SCOPE

This resolution applies to the Indiana Gaming Commission and the Executive Director of the Indiana Gaming Commission.

SECTION 2. DEFINITIONS

The definition set forth in Ind. Code art. 4-22, Ind. Code art. 4-32.3, Ind. Code art. 4-33, Ind. Code art. 4-35, Ind. Code art. 4-38, and Title 68 of the Indiana Administrative Code apply to this resolution.

SECTION 3. TEMPORARY ASSIGNMENT OF AUTHORITY TO THE EXECUTIVE DIRECTOR

The Indiana Gaming Commission hereby temporarily assigns to the Executive Director the power and authority to adopt and approve any administrative rules falling under the purview of the Commission. The Executive Director will report any action taken under this resolution at the next regularly occurring meeting.

This resolution temporarily supersedes and replaces any contrary or conflicting resolution during the duration of this resolution.

SECTION 4. RESERVATION OF POWERS AND DUTIES BY THE COMMISSION

The Commission hereby limits the assignment of power and authority to the Executive Directory solely to the powers and authority described in Section 3, specifically reserving for itself all remaining powers and duties not specifically conferred by resolution or administrative rule.

SECTION 5. EFFECTIVE DATES AND DURATION

This resolution is effective immediately. This resolution is limited in duration and will no longer have any force or effect after July 1, 2026.

ADOPTED, THIS 25TH DAY OF SEPTEMBER 2025.

INDIANA GAMING COMMISSION:

ATTEST:



Marc Fine, Commissioner



Chris Creighton, Commissioner