



February 13, 2026

**ENGROSSED
HOUSE BILL No. 1038**

DIGEST OF HB 1038 (Updated February 11, 2026 4:41 pm - DI 140)

Citations Affected: IC 4-33.

Synopsis: Relocation of gaming operations. Allows the legislative body of Allen County, DeKalb County, Steuben County, or Wayne County to initiate the placement of a public question on the 2026 general election ballot that seeks approval from the voters to permit inland casino gambling. Specifies a process by which a current licensed owner or permit holder may apply to the Indiana gaming commission (commission) to relocate the Ohio County riverboat license to an inland casino in Allen County, DeKalb County, Steuben County, or Wayne County. Specifies application requirements, including local government support and the applicant's commitment and plan to invest at least \$500,000,000 for the development of a casino and nongaming
(Continued next page)

Effective: Upon passage.

Snow, Barrett, Isa, GiaQuinta

(SENATE SPONSORS — BUSCH, MISHLER, GARTEN)

December 1, 2025, read first time and referred to Committee on Public Policy.
January 22, 2026, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 126.3.
January 27, 2026, amended, reported — Do Pass.
January 29, 2026, read second time, amended, ordered engrossed.
January 30, 2026, engrossed.
February 2, 2026, read third time, passed. Yeas 67, nays 30.
SENATE ACTION
February 5, 2026, read first time and referred to Committee on Public Policy.
February 12, 2026, reported favorably — Do Pass; reassigned to Committee on Appropriations.

EH 1038—LS 6386/DI 125



Digest Continued

amenities. Requires the commission to: (1) make the filed applications and an informational summary available to the public not later than January 15, 2027; and (2) issue a final decision approving or denying each application not later than April 15, 2027. Allows the commission to consider whether a public question was on the ballot along with the results of the public question in deciding whether to approve or deny an application. Requires an approved applicant to pay \$50,000,000 to the commission and \$30,000,000 total to the city of Rising Sun and Ohio County. Requires the commission to contract with an independent third party consultant to determine the fair market value of the Ohio County license. Requires an approved applicant to pay the fair market value of the license determined by the independent third party to the owner of the Ohio County license, unless the approved applicant is the owner of the Ohio County license. Specifies fees that apply to the sale or transfer of the licensed owner's or permit holder's interest in the owner's license within 10 years. Allows the owner of the Ohio County license to continue gambling operations on the riverboat in Ohio County until one day before the date the commission has approved gambling operations to begin under the relocated owner's license.

EH 1038—LS 6386/DI 125



February 13, 2026

Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1038

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.293-2019,
2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 17. "Riverboat" means any of the following
4 on which lawful gambling is authorized under this article:
5 (1) A self-propelled excursion boat that complies with
6 IC 4-33-6-6(a) and is located in a county that is contiguous to
7 Lake Michigan or the Ohio River.
8 (2) A casino located in a historic hotel district.
9 (3) A permanently moored craft operating from a county
10 described in subdivision (1).
11 (4) An inland casino operating under IC 4-33-6-24.
12 (5) A casino operated in Gary under IC 4-33-6-4.5.
13 (6) A casino operated in Vigo County under IC 4-33-6.7.
14 (7) **A casino operated in Allen County, DeKalb County,**
15 **Steuben County, or Wayne County under IC 4-33-6.8.**
16 SECTION 2. IC 4-33-6-1, AS AMENDED BY P.L.293-2019,
17 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

EH 1038—LS 6386/DI 125



1 UPON PASSAGE]: Sec. 1. (a) The commission may issue to a person
 2 a license to own a riverboat subject to the numerical and geographical
 3 limitation of owner's licenses under this section and IC 4-33-4-17. Not
 4 more than ten (10) owner's licenses may be in effect at any time.
 5 Subject to subsection (d), those owner's licenses may be issued as
 6 follows:

7 (1) Not more than two (2) licenses for not more than two (2)
 8 riverboats that operate in or from the city of Gary.

9 (2) One (1) license for a riverboat that operates from the city of
 10 Hammond.

11 (3) One (1) license for a riverboat that operates from the city of
 12 East Chicago.

13 (4) One (1) license for a city located in a county contiguous to
 14 Lake Michigan. However, this license may not be issued to a city
 15 described in subdivisions (1) through (3).

16 (5) **Not more than** a total of five (5) licenses for riverboats that
 17 operate upon the Ohio River from the following counties:

18 (A) Vanderburgh County.

19 (B) Harrison County.

20 (C) Switzerland County.

21 (D) Ohio County.

22 (E) Dearborn County.

23 The commission may not issue a license to an applicant if the
 24 issuance of the license would result in more than one (1) riverboat
 25 operating from a county described in this subdivision.

26 (6) Not more than one (1) license for a riverboat that operates as
 27 an inland casino in Vigo County under IC 4-33-6.7.

28 **(7) Not more than one (1) license for a riverboat that operates**
 29 **as an inland casino in Allen County, DeKalb County, Steuben**
 30 **County, or Wayne County under IC 4-33-6.8.**

31 (b) In addition to its power to issue owner's licenses under
 32 subsection (a), the commission may also enter into a contract under
 33 IC 4-33-6.5 with respect to the operation of one (1) riverboat on behalf
 34 of the commission in a historic hotel district.

35 (c) **Except as provided in IC 4-33-6.8**, a person holding an owner's
 36 license may not move the person's riverboat from the county in which
 37 the riverboat was docked on January 1, 2007, to any other county.

38 (d) The following apply to the allocation and issuance of owner's
 39 licenses under subsection (a):

40 (1) A licensed owner holding two licenses issued under
 41 subsection (a)(1) must relinquish one (1) of the licenses under
 42 section 4.5 of this chapter upon the commission's approval of the



- 1 licensed owner's request to relocate gaming operations under
 2 section 4.5 of this chapter.
- 3 (2) An owner's license relinquished under subdivision (1) and
 4 section 4.5 of this chapter may not be reissued with respect to
 5 gaming operations in Gary.
- 6 (3) The licensed owner who relinquishes a license under
 7 subdivision (1) and section 4.5 of this chapter may operate two
 8 (2) docked riverboats under a single license unless and until the
 9 licensed owner begins gaming operations at a relocated inland
 10 casino under section 4.5 of this chapter.
- 11 (4) If an owner's license is relinquished under subdivision (1) and
 12 section 4.5 of this chapter, an owner's license may be issued to
 13 authorize gaming operations in Vigo County in accordance with
 14 subsection (a)(6) and the procedures set forth in IC 4-33-6.7.
- 15 **(5) If the commission approves an application of a licensed
 16 owner or permit holder to relocate gaming operations from
 17 Ohio County under IC 4-33-6.8, a new owner's license may
 18 not be issued to authorize gaming operations in Ohio County
 19 after gaming operations are relocated to Allen County,
 20 DeKalb County, Steuben County, or Wayne County.**
- 21 SECTION 3. IC 4-33-6-4.8 IS ADDED TO THE INDIANA CODE
 22 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
 23 UPON PASSAGE]: **Sec. 4.8. (a) This section applies to the licensed
 24 owner of an inland casino operated in Allen County, DeKalb
 25 County, Steuben County, or Wayne County under IC 4-33-6.8.**
- 26 **(b) A licensed owner described in subsection (a) shall enter into
 27 a development agreement (as defined in IC 4-33-23-2) with the
 28 county in which the casino conducts gaming operations.**
- 29 SECTION 4. IC 4-33-6-19.5 IS ADDED TO THE INDIANA CODE
 30 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
 31 UPON PASSAGE]: **Sec. 19.5. (a) Not later than June 1, 2026, the
 32 legislative body of Allen County, DeKalb County, Steuben County,
 33 or Wayne County may adopt a resolution stating that the
 34 legislative body wishes to seek approval from the voters of the
 35 county to permit inland casino gambling in the county.**
- 36 **(b) A county legislative body that adopts a resolution under this
 37 subsection shall certify the following public question to the county
 38 election board under IC 3-10-9-3 not later than noon August 1,
 39 2026, for placement on the 2026 general election ballot:**
- 40 **"Shall inland casino gambling be permitted in (insert the
 41 name of the county)?"**
- 42 **(c) The public question shall be placed on the ballot as provided**



- 1 **in IC 3-10-9.**
- 2 **(d) Each registered voter of the county is entitled to vote on the**
- 3 **public question.**
- 4 **(e) The circuit court clerk shall certify the results of the public**
- 5 **question under IC 3-12-4-9 to the commission.**
- 6 SECTION 5. IC 4-33-6-24, AS AMENDED BY P.L.293-2019,
- 7 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 8 UPON PASSAGE]: Sec. 24. (a) This section does not apply to:
- 9 (1) gaming operations relocated under section 4.5 of this chapter;
- 10 or
- 11 (2) an inland casino operated in:
- 12 (A) Vigo County under IC 4-33-6.7; or
- 13 (B) **Allen County, DeKalb County, Steuben County, or**
- 14 **Wayne County under IC 4-33-6.8.**
- 15 (b) For purposes of this section, property is considered to be
- 16 adjacent to a riverboat dock site even if it is separated from the dock
- 17 site by public rights-of-way or railroad rights-of-way.
- 18 (c) A licensed owner may relocate the licensed owner's gaming
- 19 operation from a docked riverboat to an inland casino if the following
- 20 conditions are met:
- 21 (1) Except as provided in subsection (d), the casino is located on
- 22 property that the licensed owner owned or leased and used in the
- 23 conduct of the licensed owner's gaming operations on February 1,
- 24 2015.
- 25 (2) The casino is located on property adjacent to the dock site of
- 26 the licensed owner's riverboat.
- 27 (3) The casino complies with all applicable building codes and
- 28 any safety requirements imposed by the commission.
- 29 (4) The commission approves the relocation of the licensed
- 30 owner's gaming operation.
- 31 (d) This subsection applies to a licensed owner that owns or leases
- 32 property that is considered adjacent to a riverboat dock site under
- 33 subsection (b). The licensed owner may:
- 34 (1) acquire part of the public rights-of-way or railroad
- 35 rights-of-way to form a contiguous parcel with the property
- 36 owned or leased by the licensed owner on February 1, 2015; and
- 37 (2) subject to the other requirements of this section, situate an
- 38 inland casino on the contiguous parcel formed under subdivision
- 39 (1).
- 40 (e) The commission may impose any requirement upon a licensed
- 41 owner relocating gaming operations under this section.
- 42 (f) The number of gambling games offered by a licensed owner in



1 an inland facility operated under this section may not exceed the
 2 greatest number of gambling games offered by the licensed owner in
 3 the licensed owner's docked riverboat since January 1, 2007.

4 SECTION 6. IC 4-33-6-25, AS AMENDED BY P.L.293-2019,
 5 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 UPON PASSAGE]: Sec. 25. (a) This section does not apply to a
 7 riverboat gaming operation relocated under section 24 of this chapter.

8 (b) Except as provided in subsections (c) and (d), the number of
 9 gambling games offered by a licensed owner or operating agent within
 10 the riverboat operated by the licensed owner or operating agent may
 11 not exceed the greatest number of gambling games offered by the
 12 licensed owner or operating agent since January 1, 2007.

13 (c) The number of gambling games offered by a licensed owner
 14 operating under a license described in section 1(a)(1) of this chapter
 15 may not exceed two thousand seven hundred sixty-four (2,764).

16 (d) The number of gambling games offered by a licensed owner of
 17 an inland casino operated in Vigo County under IC 4-33-6.7 may not
 18 exceed one thousand five hundred (1,500).

19 (e) **The number of gambling games offered by a licensed owner**
 20 **of an inland casino operated in Allen County, DeKalb County,**
 21 **Steuben County, or Wayne County under IC 4-33-6.8 may not**
 22 **exceed one thousand five hundred (1,500).**

23 SECTION 7. IC 4-33-6.8 IS ADDED TO THE INDIANA CODE
 24 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 25 UPON PASSAGE]:

26 **Chapter 6.8. Relocation of Casino Operations**

27 **Sec. 1. For purposes of this chapter, "Ohio County license"**
 28 **means an owner's license for a riverboat operated from Ohio**
 29 **County.**

30 **Sec. 2. For purposes of this chapter, "permit holder" has the**
 31 **meaning set forth in IC 4-31-2.1-27.**

32 **Sec. 3. The commission may authorize in the manner required**
 33 **by this chapter the relocation of the Ohio County license to an**
 34 **inland casino in Allen County, DeKalb County, Steuben County, or**
 35 **Wayne County.**

36 **Sec. 4. (a) A licensed owner or permit holder may apply to own**
 37 **and operate the Ohio County license by submitting the following**
 38 **to the commission not later than December 1, 2026:**

39 (1) **A written application that contains the following**
 40 **information:**

41 (A) **The county in which the applicant is proposing to**
 42 **operate an inland casino. For purposes of this clause, the**



1 application must select Allen County, DeKalb County,
2 Steuben County, or Wayne County.

3 **(B) Documented and verifiable information describing the**
4 **following:**

5 **(i) The proposed site of the inland casino.**

6 **(ii) Evidence of site control or real estate options.**

7 **(iii) Conceptual plans for casino and nongaming**
8 **facilities.**

9 **(iv) Estimated construction and total development costs.**

10 **(v) A phased investment and construction timeline.**

11 **(vi) Market and feasibility information.**

12 **(vii) The financial capacity of the applicant.**

13 **(C) The applicant's commitment and plan to invest at least**
14 **five hundred million dollars (\$500,000,000) for the**
15 **development of a casino and nongaming amenities onsite**
16 **in the county selected under clause (A) in the following**
17 **manner:**

18 **(i) At least sixty percent (60%) of the amount invested in**
19 **the initial phase of development.**

20 **(ii) The remaining amount invested, and the relocation**
21 **and development of the casino and nongaming amenities**
22 **completed, not later than five (5) years after gaming**
23 **operations begin at the relocated casino under this**
24 **chapter.**

25 **(D) Any other information requested by the commission.**

26 **(2) The local government support documents required under**
27 **section 5(a) of this chapter.**

28 **(b) An application submitted under subsection (a) may include**
29 **financial commitments to the horse racing industry.**

30 **(c) The commission must begin accepting applications under**
31 **subsection (a) not later than October 1, 2026.**

32 **(d) For purposes of subsection (a), the commission may not**
33 **accept:**

34 **(1) an application from a person that is not a licensed owner**
35 **or permit holder;**

36 **(2) subject to section 7 of this chapter, more than one (1)**
37 **application from a licensed owner or permit holder;**

38 **(3) an application that proposes to operate an inland casino in**
39 **a county other than Allen County, DeKalb County, Steuben**
40 **County, or Wayne County; or**

41 **(4) an application that does not include the information and**
42 **documents required under subsection (a).**



1 **Sec. 5. (a) An applicant must submit the following with an**
 2 **application under section 4 of this chapter:**

3 **(1) A copy of a resolution adopted by a majority of the board**
 4 **of county commissioners of the county selected by the**
 5 **applicant under section 4(a)(1)(A) of this chapter that**
 6 **supports:**

7 **(A) the applicant's proposed relocation; or**

8 **(B) the relocation of the Ohio County license to an inland**
 9 **casino in the county without identifying a specific**
 10 **applicant.**

11 **(2) If the proposed casino will be located within a**
 12 **municipality, a letter of support for the proposed relocation**
 13 **signed by the mayor of the municipality.**

14 **(b) Except as provided in section 7 of this chapter, a unit (as**
 15 **defined in IC 36-1-2-23) may:**

16 **(1) privately negotiate with an applicant before an application**
 17 **is submitted; and**

18 **(2) support or decline to support specific applicants in a letter**
 19 **or resolution under subsection (a).**

20 **Sec. 6. (a) Following the submission of applications under**
 21 **section 4 of this chapter, the commission shall review the filed**
 22 **applications in the manner required by subsections (c) and (e). Not**
 23 **later than January 15, 2027, the commission shall:**

24 **(1) make the filed applications available to the public; and**

25 **(2) prepare an informational summary of the filed**
 26 **applications and make the summary available to the public.**

27 **The commission may redact information that it determines to be**
 28 **confidential in the applications or informational summary made**
 29 **available to the public.**

30 **(b) The commission may hire independent consultants or**
 31 **experts to assist with evaluating applications.**

32 **(c) Subject to subsection (d), the commission must decide**
 33 **whether to approve or deny an application submitted under section**
 34 **4 of this chapter based on documented and verifiable information,**
 35 **including the following:**

36 **(1) The net economic benefit to the state.**

37 **(2) Increased state and local tax revenue.**

38 **(3) The number and quality of jobs created.**

39 **(4) The amount of capital investment planned by the applicant**
 40 **under section 4(a)(1)(C) of this chapter.**

41 **(5) The quality and durability of proposed facilities.**

42 **(6) The financial stability of the applicant.**



1 (7) Site feasibility and infrastructure readiness.

2 (8) Market sustainability.

3 (9) The impact on other Indiana casinos and the horse racing
4 industry.

5 (10) Regulatory compliance history.

6 (11) The total public value of a supplemental bid under
7 section 7 of this chapter, if applicable.

8 (12) Any other factor deemed appropriate by the commission.

9 (d) In deciding whether to approve or deny an application
10 submitted under section 4 of this chapter, the commission may
11 consider:

12 (1) whether a public question was on the 2026 general election
13 ballot under IC 4-33-6-19.5 in the county in which the
14 applicant proposes to operate an inland casino; and

15 (2) if a public question was on the ballot as described in
16 subdivision (1), the results of the public question certified to
17 the commission under IC 4-33-6-19.5(e).

18 (e) The commission may not decide whether to approve or deny
19 an application submitted under section 4 of this chapter based on
20 lobbying, political pressure, or unverifiable claims.

21 (f) The commission may hold executive sessions under
22 IC 5-14-1.5-6.1(b)(1) to review and discuss applications submitted
23 under this chapter.

24 Sec. 7. (a) This section applies if the commission receives more
25 than one (1) application proposing to operate an inland casino in
26 the same county.

27 (b) The commission may, after making the filed applications
28 available to the public under section 6 of this chapter, solicit and
29 accept a supplemental bid from one (1) or more of the licensed
30 owners or permit holders that submitted an application described
31 in subsection (a).

32 (c) The following apply to a supplemental bid submitted under
33 subsection (b):

34 (1) A supplemental bid:

35 (A) must be submitted only to the commission; and

36 (B) subject to subsection (e), must be sealed and is
37 confidential.

38 (2) A supplemental bid may include proposed payments to one
39 (1) or more of the following:

40 (A) The state.

41 (B) The community in which the proposed inland casino
42 will be located.



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- (C) The city of Rising Sun.
- (D) Ohio County.
- (3) Each supplemental bid must clearly identify the amount, recipient, and timing of a proposed payment under subdivision (2).
- (4) An applicant may include in a supplemental bid modifications to the information submitted by the applicant under:
 - (A) section 4(a)(1)(B)(iii) through 4(a)(1)(B)(v) of this chapter; and
 - (B) section 4(a)(1)(C) of this chapter.
- (5) A unit (as defined in IC 36-1-2-23) may not negotiate directly with a licensed owner or permit holder submitting a supplemental bid.
- (d) If a supplemental bid is submitted under this section, the commission is not required to consider only applications accompanied by a supplemental bid. The commission may approve an application that was not accompanied by a supplemental bid.
- (e) After the commission makes a final decision under section 8 of this chapter, the commission must make public each supplemental bid received under this section.
- Sec. 8. (a) After issuing the informational summary required under section 6(a)(2) of this chapter, and not later than April 15, 2027, the commission shall issue a final decision approving or denying each application. The final decision must include written findings explaining the decision.
 - (b) The commission may:
 - (1) approve only one (1) application under subsection (a); and
 - (2) deny all of the filed applications if the commission determines that none of the applications serve the interests of the state.
- Sec. 9. (a) If the commission approves an application of a licensed owner or permit holder to relocate gaming operations under section 8 of this chapter, the commission:
 - (1) shall require the licensed owner or permit holder to pay to the commission a fee of fifty million dollars (\$50,000,000) in the manner described in subsection (b);
 - (2) shall require the licensed owner or permit holder to make a one (1) time payment in the total amount of thirty million dollars (\$30,000,000) to the city of Rising Sun and Ohio County, due on the date set by the commission under section 12 of this chapter for the license transfer; and



1 (3) may impose other requirements that the commission
2 deems necessary and appropriate to protect the interest of the
3 state and the person whose application is approved under
4 section 8 of this chapter.

5 (b) The payment required by subsection (a)(1) must be paid to
6 the commission in five (5) annual payments of equal amounts. The
7 first payment required by this section is due within thirty (30) days
8 of the approval of the application under section 8 of this chapter.
9 The four (4) remaining annual payments are each due on the
10 anniversary date of the first payment.

11 (c) The commission shall deposit the fee received under
12 subsection (a) in the state general fund.

13 Sec. 10. (a) The commission shall contract with an independent
14 third party consultant to determine the fair market value of the
15 Ohio County license. IC 5-22 does not apply to procurement by the
16 commission with respect to the contract required under this
17 subsection.

18 (b) The fair market value determined under subsection (a) must
19 be disclosed to the public not later than October 1, 2026.

20 (c) This subsection does not apply if the commission approves an
21 application to relocate gaming operations under section 8 of this
22 chapter submitted by the current owner of the Ohio County
23 license. The licensed owner or permit holder whose application was
24 approved under section 8 of this chapter shall pay the amount
25 determined under subsection (a) to the owner of the Ohio County
26 license.

27 Sec. 11. (a) The commission may enforce the phasing and
28 completion timelines to which the licensed owner or permit holder
29 committed under section 4(a) of this chapter.

30 (b) If the licensed owner or permit holder whose application was
31 approved by the commission under section 8 of this chapter sells or
32 otherwise transfers the licensed owner's or permit holder's interest
33 in the owner's license within ten (10) years from the date the
34 application was approved, the following apply:

35 (1) The licensed owner or permit holder shall pay a fee of fifty
36 million dollars (\$50,000,000) to the commission before the sale
37 or transfer of the license may be approved by the commission.
38 Any payment required under this subdivision shall be
39 deposited in the state general fund.

40 (2) If, at the time of the transfer of ownership, the five
41 hundred million dollar (\$500,000,000) investment to which the
42 licensed owner or permit holder committed under section



1 **4(a)(1)(C) of this chapter has not been met, the person**
 2 **acquiring the owner's license shall, not later than ten (10)**
 3 **years from the date the application was approved by the**
 4 **commission under section 8 of this chapter, invest in the**
 5 **casino and nongaming amenities an amount that is at least**
 6 **equal to the difference between five hundred million dollars**
 7 **(\$500,000,000) and the amount actually invested by the person**
 8 **transferring the owner's license.**

9 **Sec. 12. (a) The owner of the Ohio County license may continue**
 10 **gambling operations on the riverboat in Ohio County:**

11 **(1) during the application, review, and approval process**
 12 **under this chapter; and**

13 **(2) if an application is approved under section 8 of this**
 14 **chapter, until one (1) day before the date the commission has**
 15 **approved gambling operations to begin under the relocated**
 16 **owner's license in Allen County, DeKalb County, Steuben**
 17 **County, or Wayne County.**

18 **(b) If the commission approves an application to relocate**
 19 **gaming operations under section 8 of this chapter, the following**
 20 **apply:**

21 **(1) The owner of the Ohio County license shall cease gambling**
 22 **operations on the riverboat in Ohio County not later than one**
 23 **(1) day before the date the commission has approved**
 24 **gambling operations to begin under the relocated owner's**
 25 **license in Allen County, DeKalb County, Steuben County, or**
 26 **Wayne County.**

27 **(2) After gambling operations cease on the riverboat in Ohio**
 28 **County under subdivision (1), and before the date the**
 29 **commission has approved gambling operations to begin under**
 30 **the relocated owner's license, the commission shall promptly**
 31 **transfer the owner's license issued under IC 4-33-6-1(a) to the**
 32 **licensed owner or permit holder whose application was**
 33 **approved under section 8 of this chapter.**

34 **(3) The licensed owner or permit holder to whom the owner's**
 35 **license is transferred under subdivision (2) is authorized to**
 36 **begin gambling operations in a casino in Allen County,**
 37 **DeKalb County, Steuben County, or Wayne County in**
 38 **accordance with IC 4-33-6-1(a)(7) and this chapter.**

39 **SECTION 8. IC 4-33-10-2.5, AS AMENDED BY P.L.186-2025,**
 40 **SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE**
 41 **UPON PASSAGE]: Sec. 2.5. (a) This section applies only to property**
 42 **given after June 30, 1996.**



1 (b) The definitions in IC 3-5-2.1 apply to this section to the extent
2 they do not conflict with the definitions in this article.

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

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

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

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

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

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

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

25 (g) A licensee or a person with an interest in a licensee may not give
26 any property (as defined in IC 35-31.5-2-253) to a member of a
27 precinct committee to induce the member of the precinct committee to
28 do any act or refrain from doing any act with respect to the approval of
29 a local public question under IC 4-33-6-19, ~~or~~ IC 4-33-6-19.3, **or**
30 **IC 4-33-6-19.5.**

31 (h) A person who knowingly or intentionally violates this section
32 commits a Level 6 felony.

33 SECTION 9. IC 4-33-12-1.5, AS AMENDED BY P.L.293-2019,
34 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 UPON PASSAGE]: Sec. 1.5. (a) A supplemental wagering tax on the
36 wagering occurring each day at a riverboat is imposed upon the
37 licensed owner operating the riverboat.

38 (b) Except as provided in ~~subsection (d)~~, **subsections (d) and (e)**,
39 and subject to subsection (c), the amount of supplemental wagering tax
40 imposed for a particular day is determined by multiplying the
41 riverboat's adjusted gross receipts for that day by the quotient of:

- 42 (1) the total riverboat admissions tax that the riverboat's licensed



1 owner paid beginning July 1, 2016, and ending June 30, 2017;
 2 divided by

3 (2) the riverboat's adjusted gross receipts beginning July 1, 2016,
 4 and ending June 30, 2017.

5 (c) The quotient used under subsection (b) to determine the
 6 supplemental wagering tax liability of a licensed owner subject to
 7 subsection (b) may not exceed the following when expressed as a
 8 percentage:

9 (1) Four percent (4%) before July 1, 2019.

10 (2) Three and five-tenths percent (3.5%) after June 30, 2019.

11 (d) The supplemental wagering tax liability of a licensed owner
 12 operating an inland casino in Vigo County is equal to two and
 13 nine-tenths percent (2.9%) of the riverboat's adjusted gross receipts for
 14 the day.

15 **(e) The supplemental wagering tax liability of a licensed owner**
 16 **operating an inland casino in Allen County, DeKalb County,**
 17 **Steuben County, or Wayne County under IC 4-33-6.8 is equal to**
 18 **three and five-tenths percent (3.5%) of the riverboat's adjusted**
 19 **gross receipts for the day.**

20 SECTION 10. IC 4-33-12-6, AS AMENDED BY P.L.104-2022,
 21 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 UPON PASSAGE]: Sec. 6. (a) The department shall place in the state
 23 general fund the tax revenue collected under this chapter.

24 (b) Except as provided by sections 8, ~~and~~ 8.5, **and 8.7** of this
 25 chapter, the treasurer of state shall quarterly pay the following
 26 amounts:

27 (1) Except as provided in section 9(k) of this chapter, thirty-three
 28 and one-third percent (33 1/3%) of the admissions tax and
 29 supplemental wagering tax collected by the licensed owner during
 30 the quarter shall be paid to:

31 (A) the city in which the riverboat is located, if the city:

32 (i) is located in a county having a population of more than
 33 one hundred twelve thousand (112,000) and less than one
 34 hundred twenty thousand (120,000); or

35 (ii) is contiguous to the Ohio River and is the largest city in
 36 the county; and

37 (B) the county in which the riverboat is located, if the
 38 riverboat is not located in a city described in clause (A).

39 (2) Except as provided in section 9(k) of this chapter, thirty-three
 40 and one-third percent (33 1/3%) of the admissions tax and
 41 supplemental wagering tax collected by the licensed owner during
 42 the quarter shall be paid to the county in which the riverboat is



1 located. In the case of a county described in subdivision (1)(B),
 2 this thirty-three and one-third percent (33 1/3%) of the admissions
 3 tax and supplemental wagering tax is in addition to the
 4 thirty-three and one-third percent (33 1/3%) received under
 5 subdivision (1)(B).

6 (3) Except as provided in section 9(k) of this chapter, three and
 7 thirty-three hundredths percent (3.33%) of the admissions tax and
 8 supplemental wagering tax collected by the licensed owner during
 9 the quarter shall be paid to the county convention and visitors
 10 bureau or promotion fund for the county in which the riverboat is
 11 located.

12 (4) Except as provided in section 9(k) of this chapter, five percent
 13 (5%) of the admissions tax and supplemental wagering tax
 14 collected by the licensed owner during a quarter shall be paid to
 15 the state fair commission, for use in any activity that the
 16 commission is authorized to carry out under IC 15-13-3.

17 (5) Except as provided in section 9(k) of this chapter, three and
 18 thirty-three hundredths percent (3.33%) of the admissions tax and
 19 supplemental wagering tax collected by the licensed owner during
 20 the quarter shall be paid to the division of mental health and
 21 addiction. The division shall allocate at least twenty-five percent
 22 (25%) of the funds derived from the admissions tax to the
 23 prevention and treatment of compulsive gambling.

24 (6) Twenty-one and six hundred sixty-seven thousandths percent
 25 (21.667%) of the admissions tax and supplemental wagering tax
 26 collected by the licensed owner during the quarter shall be paid
 27 to the state general fund.

28 SECTION 11. IC 4-33-12-8.7 IS ADDED TO THE INDIANA
 29 CODE AS A NEW SECTION TO READ AS FOLLOWS
 30 [EFFECTIVE UPON PASSAGE]: **Sec. 8.7. (a) This section applies**
 31 **only to tax revenue collected from an inland casino located in Allen**
 32 **County, DeKalb County, Steuben County, or Wayne County under**
 33 **IC 4-33-6.8.**

34 **(b) The treasurer of state shall pay the following amounts from**
 35 **taxes collected during the preceding calendar quarter from the**
 36 **inland casino:**

- 37 **(1) Ten percent (10%) to one (1) of the following:**
 - 38 **(A) The regional development authority established under**
 - 39 **IC 36-7.6 for northeast Indiana, if the commission**
 - 40 **approves an application under IC 4-33-6.8-8 to operate an**
 - 41 **inland casino in Allen County, DeKalb County, or Steuben**
 - 42 **County.**



- 1 **(B) The regional development authority established under**
- 2 **IC 36-7.6 of which Wayne County is a member, if the**
- 3 **commission approves an application under IC 4-33-6.8-8**
- 4 **to operate an inland casino in Wayne County.**
- 5 **(2) Forty-five percent (45%) to the city in which the casino**
- 6 **conducts gaming operations.**
- 7 **(3) Forty-five percent (45%) to county in which the casino**
- 8 **conducts gaming operations.**
- 9 **(c) This subsection applies to a city or county receiving money**
- 10 **under subsection (b). Money paid to a city or county under**
- 11 **subsection (b):**
 - 12 **(1) must be paid to the fiscal officer of the unit and may be**
 - 13 **deposited in the unit's general fund or a riverboat fund**
 - 14 **established by the city or county under IC 36-1-8-9, or both;**
 - 15 **(2) may not be used to reduce the unit's maximum levy under**
 - 16 **IC 6-1.1-18.5 but may be used at the discretion of the unit to**
 - 17 **reduce the property tax levy of the unit for a particular year;**
 - 18 **(3) may be used for any legal or corporate purpose of the unit,**
 - 19 **including the pledge of money to bonds, leases, or other**
 - 20 **obligations under IC 5-1-14-4; and**
 - 21 **(4) is considered miscellaneous revenue.**
- 22 **(d) Money paid under subsection (b)(1) must be deposited in the**
- 23 **development authority fund established under IC 36-7.6-4-1 for the**
- 24 **regional development authority to which the money is due.**
- 25 SECTION 12. IC 4-33-13-5, AS AMENDED BY P.L.9-2024,
- 26 SECTION 109, IS AMENDED TO READ AS FOLLOWS
- 27 [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) This subsection does not
- 28 apply to tax revenue remitted by an operating agent operating a
- 29 riverboat in a historic hotel district. Excluding funds that are
- 30 appropriated in the biennial budget act from the state gaming fund to
- 31 the commission for purposes of administering this article, each month
- 32 the state comptroller shall distribute the tax revenue deposited in the
- 33 state gaming fund under this chapter to the following:
- 34 (1) An amount equal to the following shall be set aside for
- 35 revenue sharing under subsection (d):
 - 36 (A) Before July 1, 2021, the first thirty-three million dollars
 - 37 (\$33,000,000) of tax revenues collected under this chapter
 - 38 shall be set aside for revenue sharing under subsection (d).
 - 39 (B) After June 30, 2021, if the total adjusted gross receipts
 - 40 received by licensees from gambling games authorized under
 - 41 this article during the preceding state fiscal year is equal to or
 - 42 greater than the total adjusted gross receipts received by



- 1 licensees from gambling games authorized under this article
 2 during the state fiscal year ending June 30, 2020, the first
 3 thirty-three million dollars (\$33,000,000) of tax revenues
 4 collected under this chapter shall be set aside for revenue
 5 sharing under subsection (d).
- 6 (C) After June 30, 2021, if the total adjusted gross receipts
 7 received by licensees from gambling games authorized under
 8 this article during the preceding state fiscal year is less than
 9 the total adjusted gross receipts received by licensees from
 10 gambling games authorized under this article during the state
 11 year ending June 30, 2020, an amount equal to the first
 12 thirty-three million dollars (\$33,000,000) of tax revenues
 13 collected under this chapter multiplied by the result of:
- 14 (i) the total adjusted gross receipts received by licensees
 15 from gambling games authorized under this article during
 16 the preceding state fiscal year; divided by
- 17 (ii) the total adjusted gross receipts received by licensees
 18 from gambling games authorized under this article during
 19 the state fiscal year ending June 30, 2020;
- 20 shall be set aside for revenue sharing under subsection (d).
- 21 (2) Subject to subsection (c), twenty-five percent (25%) of the
 22 remaining tax revenue remitted by each licensed owner shall be
 23 paid:
- 24 (A) to the city in which the riverboat is located or that is
 25 designated as the home dock of the riverboat from which the
 26 tax revenue was collected, in the case of:
- 27 (i) a city described in IC 4-33-12-6(b)(1)(A);
 28 (ii) a city located in Lake County, **Allen County, DeKalb**
 29 **County, Steuben County, or Wayne County;** or
 30 (iii) Terre Haute; or
- 31 (B) to the county that is designated as the home dock of the
 32 riverboat from which the tax revenue was collected, in the case
 33 of a riverboat that is not located in a city described in clause
 34 (A) or whose home dock is not in a city described in clause
 35 (A).
- 36 (3) The remainder of the tax revenue remitted by each licensed
 37 owner shall be paid to the state general fund. In each state fiscal
 38 year, the state comptroller shall make the transfer required by this
 39 subdivision on or before the fifteenth day of the month based on
 40 revenue received during the preceding month for deposit in the
 41 state gaming fund. Specifically, the state comptroller may transfer
 42 the tax revenue received by the state in a month to the state



- 1 general fund in the immediately following month according to this
2 subdivision.
- 3 (b) This subsection applies only to tax revenue remitted by an
4 operating agent operating a riverboat in a historic hotel district after
5 June 30, 2019. Excluding funds that are appropriated in the biennial
6 budget act from the state gaming fund to the commission for purposes
7 of administering this article, each month the state comptroller shall
8 distribute the tax revenue remitted by the operating agent under this
9 chapter as follows:
- 10 (1) For state fiscal years beginning after June 30, 2019, but
11 ending before July 1, 2021, fifty-six and five-tenths percent
12 (56.5%) shall be paid to the state general fund.
- 13 (2) For state fiscal years beginning after June 30, 2021, fifty-six
14 and five-tenths percent (56.5%) shall be paid as follows:
- 15 (A) Sixty-six and four-tenths percent (66.4%) shall be paid to
16 the state general fund.
- 17 (B) Thirty-three and six-tenths percent (33.6%) shall be paid
18 to the West Baden Springs historic hotel preservation and
19 maintenance fund established by IC 36-7-11.5-11(b).
20 However, if:
- 21 (i) at any time the balance in that fund exceeds twenty-five
22 million dollars (\$25,000,000); or
- 23 (ii) in any part of a state fiscal year in which the operating
24 agent has received at least one hundred million dollars
25 (\$100,000,000) of adjusted gross receipts;
26 the amount described in this clause shall be paid to the state
27 general fund for the remainder of the state fiscal year.
- 28 (3) Forty-three and five-tenths percent (43.5%) shall be paid as
29 follows:
- 30 (A) Twenty-two and four-tenths percent (22.4%) shall be paid
31 as follows:
- 32 (i) Fifty percent (50%) to the fiscal officer of the town of
33 French Lick.
- 34 (ii) Fifty percent (50%) to the fiscal officer of the town of
35 West Baden Springs.
- 36 (B) Fourteen and eight-tenths percent (14.8%) shall be paid to
37 the county treasurer of Orange County for distribution among
38 the school corporations in the county. The governing bodies
39 for the school corporations in the county shall provide a
40 formula for the distribution of the money received under this
41 clause among the school corporations by joint resolution
42 adopted by the governing body of each of the school



- 1 corporations in the county. Money received by a school
 2 corporation under this clause must be used to improve the
 3 educational attainment of students enrolled in the school
 4 corporation receiving the money. Not later than the first
 5 regular meeting in the school year of a governing body of a
 6 school corporation receiving a distribution under this clause,
 7 the superintendent of the school corporation shall submit to
 8 the governing body a report describing the purposes for which
 9 the receipts under this clause were used and the improvements
 10 in educational attainment realized through the use of the
 11 money. The report is a public record.
- 12 (C) Thirteen and one-tenth percent (13.1%) shall be paid to the
 13 county treasurer of Orange County.
- 14 (D) Five and three-tenths percent (5.3%) shall be distributed
 15 quarterly to the county treasurer of Dubois County for
 16 appropriation by the county fiscal body after receiving a
 17 recommendation from the county executive. The county fiscal
 18 body for the receiving county shall provide for the distribution
 19 of the money received under this clause to one (1) or more
 20 taxing units (as defined in IC 6-1.1-1-21) in the county under
 21 a formula established by the county fiscal body after receiving
 22 a recommendation from the county executive.
- 23 (E) Five and three-tenths percent (5.3%) shall be distributed
 24 quarterly to the county treasurer of Crawford County for
 25 appropriation by the county fiscal body after receiving a
 26 recommendation from the county executive. The county fiscal
 27 body for the receiving county shall provide for the distribution
 28 of the money received under this clause to one (1) or more
 29 taxing units (as defined in IC 6-1.1-1-21) in the county under
 30 a formula established by the county fiscal body after receiving
 31 a recommendation from the county executive.
- 32 (F) Six and thirty-five hundredths percent (6.35%) shall be
 33 paid to the fiscal officer of the town of Paoli.
- 34 (G) Six and thirty-five hundredths percent (6.35%) shall be
 35 paid to the fiscal officer of the town of Orleans.
- 36 (H) Twenty-six and four-tenths percent (26.4%) shall be paid
 37 to the Indiana economic development corporation established
 38 by IC 5-28-3-1 for transfer as follows:
- 39 (i) Beginning after December 31, 2017, ten percent (10%)
 40 of the amount transferred under this clause in each calendar
 41 year shall be transferred to the South Central Indiana
 42 Regional Economic Development Corporation or a



1 successor entity or partnership for economic development
 2 for the purpose of recruiting new business to Orange County
 3 as well as promoting the retention and expansion of existing
 4 businesses in Orange County.

5 (ii) The remainder of the amount transferred under this
 6 clause in each calendar year shall be transferred to Radius
 7 Indiana or a successor regional entity or partnership for the
 8 development and implementation of a regional economic
 9 development strategy to assist the residents of Orange
 10 County and the counties contiguous to Orange County in
 11 improving their quality of life and to help promote
 12 successful and sustainable communities.

13 To the extent possible, the Indiana economic development
 14 corporation shall provide for the transfer under item (i) to be
 15 made in four (4) equal installments. However, an amount
 16 sufficient to meet current obligations to retire or refinance
 17 indebtedness or leases for which tax revenues under this
 18 section were pledged before January 1, 2015, by the Orange
 19 County development commission shall be paid to the Orange
 20 County development commission before making distributions
 21 to the South Central Indiana Regional Economic Development
 22 Corporation and Radius Indiana or their successor entities or
 23 partnerships. The amount paid to the Orange County
 24 development commission shall proportionally reduce the
 25 amount payable to the South Central Indiana Regional
 26 Economic Development Corporation and Radius Indiana or
 27 their successor entities or partnerships.

28 (c) This subsection does not apply to tax revenue remitted by an
 29 inland casino operating in Vigo County, **Allen County, DeKalb**
 30 **County, Steuben County, or Wayne County**. For each city and
 31 county receiving money under subsection (a)(2), the state comptroller
 32 shall determine the total amount of money paid by the state comptroller
 33 to the city or county during the state fiscal year 2002. The amount
 34 determined is the base year revenue for the city or county. The state
 35 comptroller shall certify the base year revenue determined under this
 36 subsection to the city or county. The total amount of money distributed
 37 to a city or county under this section during a state fiscal year may not
 38 exceed the entity's base year revenue. For each state fiscal year, the
 39 state comptroller shall pay that part of the riverboat wagering taxes
 40 that:

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



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section;
to the state general fund instead of to the city or county.

(d) Except as provided in subsections (k) and (l), before August 15 of each year, the state comptroller shall distribute the wagering taxes set aside for revenue sharing under subsection (a)(1) to the county treasurer of each county that does not have a riverboat according to the ratio that the county's population bears to the total population of the counties that do not have a riverboat. Except as provided in subsection (g), the county auditor shall distribute the money received by the county under this subsection as follows:

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

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

- (1) To reduce the property tax levy of the city, town, or county for a particular year (a property tax reduction under this subdivision does not reduce the maximum levy of the city, town, or county under IC 6-1.1-18.5).
- (2) For deposit in a special fund or allocation fund created under IC 8-22-3.5, IC 36-7-14, IC 36-7-14.5, IC 36-7-15.1, and IC 36-7-30 to provide funding for debt repayment.
- (3) To fund sewer and water projects, including storm water management projects.
- (4) For police and fire pensions.
- (5) To carry out any governmental purpose for which the money is appropriated by the fiscal body of the city, town, or county. Money used under this subdivision does not reduce the property tax levy of the city, town, or county for a particular year or reduce the maximum levy of the city, town, or county under IC 6-1.1-18.5.

(f) This subsection does not apply to an inland casino operating in Vigo County, **Allen County, DeKalb County, Steuben County, or Wayne County**. Before July 15 of each year, the state comptroller shall determine the total amount of money distributed to an entity under IC 4-33-12-6 or IC 4-33-12-8 during the preceding state fiscal year. If the state comptroller determines that the total amount of money distributed to an entity under IC 4-33-12-6 or IC 4-33-12-8 during the preceding state fiscal year was less than the entity's base year revenue



1 (as determined under IC 4-33-12-9), the state comptroller shall make
 2 a supplemental distribution to the entity from taxes collected under this
 3 chapter and deposited into the state general fund. Except as provided
 4 in subsection (h), the amount of an entity's supplemental distribution
 5 is equal to:

6 (1) the entity's base year revenue (as determined under
 7 IC 4-33-12-9); minus

8 (2) the sum of:

9 (A) the total amount of money distributed to the entity and
 10 constructively received by the entity during the preceding state
 11 fiscal year under IC 4-33-12-6 or IC 4-33-12-8; plus

12 (B) the amount of any admissions taxes deducted under
 13 IC 6-3.1-20-7.

14 (g) This subsection applies only to Marion County. The county
 15 auditor shall distribute the money received by the county under
 16 subsection (d) as follows:

17 (1) To each city, other than the consolidated city, located in the
 18 county according to the ratio that the city's population bears to the
 19 total population of the county.

20 (2) To each town located in the county according to the ratio that
 21 the town's population bears to the total population of the county.

22 (3) After the distributions required in subdivisions (1) and (2) are
 23 made, the remainder shall be paid in equal amounts to the
 24 consolidated city and the county.

25 (h) This subsection does not apply to an inland casino operating in
 26 Vigo County, **Allen County, DeKalb County, Steuben County, or**
 27 **Wayne County**. This subsection applies to a supplemental distribution
 28 made after June 30, 2017. The maximum amount of money that may be
 29 distributed under subsection (f) in a state fiscal year is equal to the
 30 following:

31 (1) Before July 1, 2021, forty-eight million dollars (\$48,000,000).

32 (2) After June 30, 2021, if the total adjusted gross receipts
 33 received by licensees from gambling games authorized under this
 34 article during the preceding state fiscal year is equal to or greater
 35 than the total adjusted gross receipts received by licensees from
 36 gambling games authorized under this article during the state
 37 fiscal year ending June 30, 2020, the maximum amount is
 38 forty-eight million dollars (\$48,000,000).

39 (3) After June 30, 2021, if the total adjusted gross receipts
 40 received by licensees from gambling games authorized under this
 41 article during the preceding state fiscal year is less than the total
 42 adjusted gross receipts received by licensees from gambling



1 games authorized under this article during the state fiscal year
 2 ending June 30, 2020, the maximum amount is equal to the result
 3 of:

4 (A) forty-eight million dollars (\$48,000,000); multiplied by

5 (B) the result of:

6 (i) the total adjusted gross receipts received by licensees
 7 from gambling games authorized under this article during
 8 the preceding state fiscal year; divided by

9 (ii) the total adjusted gross receipts received by licensees
 10 from gambling games authorized under this article during
 11 the state fiscal year ending June 30, 2020.

12 If the total amount determined under subsection (f) exceeds the
 13 maximum amount determined under this subsection, the amount
 14 distributed to an entity under subsection (f) must be reduced according
 15 to the ratio that the amount distributed to the entity under IC 4-33-12-6
 16 or IC 4-33-12-8 bears to the total amount distributed under
 17 IC 4-33-12-6 and IC 4-33-12-8 to all entities receiving a supplemental
 18 distribution.

19 (i) This subsection applies to a supplemental distribution, if any,
 20 payable to Lake County, Hammond, Gary, or East Chicago under
 21 subsections (f) and (h). Beginning in July 2016, the state comptroller
 22 shall, after making any deductions from the supplemental distribution
 23 required by IC 6-3.1-20-7, deduct from the remainder of the
 24 supplemental distribution otherwise payable to the unit under this
 25 section the lesser of:

26 (1) the remaining amount of the supplemental distribution; or

27 (2) the difference, if any, between:

28 (A) three million five hundred thousand dollars (\$3,500,000);
 29 minus

30 (B) the amount of admissions taxes constructively received by
 31 the unit in the previous state fiscal year.

32 The state comptroller shall distribute the amounts deducted under this
 33 subsection to the northwest Indiana redevelopment authority
 34 established under IC 36-7.5-2-1 for deposit in the development
 35 authority revenue fund established under IC 36-7.5-4-1.

36 (j) Money distributed to a political subdivision under subsection (b):

37 (1) must be paid to the fiscal officer of the political subdivision
 38 and may be deposited in the political subdivision's general fund
 39 (in the case of a school corporation, the school corporation may
 40 deposit the money into either the education fund (IC 20-40-2) or
 41 the operations fund (IC 20-40-18)) or riverboat fund established
 42 under IC 36-1-8-9, or both;



- 1 (2) may not be used to reduce the maximum levy under
 2 IC 6-1.1-18.5 of a county, city, or town or the maximum tax rate
 3 of a school corporation, but, except as provided in subsection
 4 (b)(3)(B), may be used at the discretion of the political
 5 subdivision to reduce the property tax levy of the county, city, or
 6 town for a particular year;
 7 (3) except as provided in subsection (b)(3)(B), may be used for
 8 any legal or corporate purpose of the political subdivision,
 9 including the pledge of money to bonds, leases, or other
 10 obligations under IC 5-1-14-4; and
 11 (4) is considered miscellaneous revenue.
 12 Money distributed under subsection (b)(3)(B) must be used for the
 13 purposes specified in subsection (b)(3)(B).
 14 (k) After June 30, 2020, the amount of wagering taxes that would
 15 otherwise be distributed to South Bend under subsection (d) shall be
 16 deposited as being received from all riverboats whose supplemental
 17 wagering tax, as calculated under IC 4-33-12-1.5(b), is over three and
 18 five-tenths percent (3.5%). The amount deposited under this
 19 subsection, in each riverboat's account, is proportionate to the
 20 supplemental wagering tax received from that riverboat under
 21 IC 4-33-12-1.5 in the month of July. The amount deposited under this
 22 subsection must be distributed in the same manner as the supplemental
 23 wagering tax collected under IC 4-33-12-1.5. This subsection expires
 24 June 30, 2021.
 25 (l) After June 30, 2021, the amount of wagering taxes that would
 26 otherwise be distributed to South Bend under subsection (d) shall be
 27 withheld and deposited in the state general fund.
 28 **SECTION 13. An emergency is declared for this act.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred House Bill 1038, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 10 with "[EFFECTIVE UPON PASSAGE]".

Page 1, line 14, after "County" insert ", **DeKalb County, Steuben County, or Wayne County**".

Page 2, line 3, reset in roman "ten (10)".

Page 2, line 3, delete "eleven (11)".

Page 2, line 15, delete "A" and insert "**Not more than a**".

Page 2, line 28, after "County" insert ", **DeKalb County, Steuben County, or Wayne County**".

Page 2, line 33, delete "A" and insert "**Except as provided in IC 4-33-6.8, a**".

Page 3, between lines 12 and 13, begin a new line block indented and insert:

"(5) If the commission approves an application of a licensed owner or permit holder to relocate gaming operations from Ohio County under IC 4-33-6.8, a new owner's license may not be issued to authorize gaming operations in Ohio County after gaming operations are relocated to Allen County, DeKalb County, Steuben County, or Wayne County."

Page 3, line 16, after "County" insert ", **DeKalb County, Steuben County, or Wayne County**".

Page 3, line 18, delete "Allen" and insert "**the county in which the casino conducts gaming operations.**".

Page 3, delete line 19.

Page 3, line 27, after "County" insert ", **DeKalb County, Steuben County, or Wayne County**".

Page 4, line 33, after "County" insert ", **DeKalb County, Steuben County, or Wayne County**".

Page 4, delete lines 35 through 42, begin a new paragraph and insert:

"SECTION 6. IC 4-33-6.8 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 6.8. Relocation of Casino Operations

Sec. 1. For purposes of this chapter, "Ohio County license" means an owner's license for a riverboat operated from Ohio



County.

Sec. 2. For purposes of this chapter, "permit holder" has the meaning set forth in IC 4-31-2.1-27.

Sec. 3. The commission may authorize in the manner required by this chapter the relocation of the Ohio County license to an inland casino in Allen County, DeKalb County, Steuben County, or Wayne County.

Sec. 4. (a) A licensed owner or permit holder may apply to own and operate the Ohio County license by submitting the following to the commission not later than December 1, 2026:

(1) A written application that contains the following information:

(A) The county in which the applicant is proposing to operate an inland casino. For purposes of this clause, the application must select Allen County, DeKalb County, Steuben County, or Wayne County.

(B) Documented and verifiable information describing the following:

(i) The proposed site of the inland casino.

(ii) Evidence of site control or real estate options.

(iii) Conceptual plans for casino and nongaming facilities.

(iv) Estimated construction and total development costs.

(v) A phased investment and construction timeline.

(vi) Market and feasibility information.

(vii) The financial capacity of the applicant.

(C) The applicant's commitment and plan to invest at least five hundred million dollars (\$500,000,000) for the development of a casino and nongaming amenities onsite in the county selected under clause (A) in the following manner:

(i) At least sixty percent (60%) of the amount invested in the initial phase of development.

(ii) The remaining amount invested, and the relocation and development of the casino and nongaming amenities completed, not later than five (5) years after gaming operations begin at the relocated casino under this chapter.

(D) Any other information requested by the commission.

(2) The local government support documents required under section 5(a) of this chapter.

(b) An application submitted under subsection (a) may include



financial commitments to the horse racing industry.

(c) The commission must begin accepting applications under subsection (a) not later than October 1, 2026.

(d) For purposes of subsection (a), the commission may not accept:

- (1) an application from a person that is not a licensed owner or permit holder;
- (2) subject to section 7 of this chapter, more than one (1) application from a licensed owner or permit holder;
- (3) an application that proposes to operate an inland casino in a county other than Allen County, DeKalb County, Steuben County, or Wayne County; or
- (4) an application that does not include the information and documents required under subsection (a).

Sec. 5. (a) An applicant must submit the following with an application under section 4 of this chapter:

(1) A copy of a resolution adopted by a majority of the board of county commissioners of the county selected by the applicant under section 4(a)(1)(A) of this chapter that supports:

- (A) the applicant's proposed relocation; or
- (B) the relocation of the Ohio County license to an inland casino in the county without identifying a specific applicant.

(2) If the proposed casino will be located within a municipality, a letter of support for the proposed relocation signed by the mayor of the municipality.

(b) Except as provided in section 7 of this chapter, a unit (as defined in IC 36-1-2-23) may:

- (1) privately negotiate with an applicant before an application is submitted; and
- (2) support or decline to support specific applicants in a letter or resolution under subsection (a).

Sec. 6. (a) Following the submission of applications under section 4 of this chapter, the commission shall review the filed applications in the manner required by subsections (c) and (d). Not later than January 15, 2027, the commission shall:

- (1) make the filed applications available to the public; and
- (2) prepare an informational summary of the filed applications and make the summary available to the public.

The commission may redact information that it determines to be confidential in the applications or informational summary made



available to the public.

(b) The commission may hire independent consultants or experts to assist with evaluating applications.

(c) The commission must decide whether to approve or deny an application submitted under section 4 of this chapter based on documented and verifiable information, including the following:

- (1) The net economic benefit to the state.
- (2) Increased state and local tax revenue.
- (3) The number and quality of jobs created.
- (4) The amount of capital investment planned by the applicant under section 4(a)(1)(C) of this chapter.
- (5) The quality and durability of proposed facilities.
- (6) The financial stability of the applicant.
- (7) Site feasibility and infrastructure readiness.
- (8) Market sustainability.
- (9) The impact on other Indiana casinos and the horse racing industry.
- (10) Regulatory compliance history.
- (11) The total public value of a supplemental bid under section 7 of this chapter, if applicable.
- (12) Any other factor deemed appropriate by the commission.

(d) The commission may not decide whether to approve or deny an application submitted under section 4 of this chapter based on lobbying, political pressure, or unverifiable claims.

(e) The commission may hold executive sessions under IC 5-14-1.5-6.1(b)(1) to review and discuss applications submitted under this chapter.

Sec. 7. (a) This section applies if the commission receives more than one (1) application proposing to operate an inland casino in the same county.

(b) The commission may, after making the filed applications available to the public under section 6 of this chapter, solicit and accept a supplemental bid from one (1) or more of the licensed owners or permit holders that submitted an application described in subsection (a).

(c) The following apply to a supplemental bid submitted under subsection (b):

- (1) A supplemental bid:
 - (A) must be submitted only to the commission; and
 - (B) subject to subsection (e), must be sealed and is confidential.
- (2) A supplemental bid may include proposed payments to one



(1) or more of the following:

(A) The state.

(B) The community in which the proposed inland casino will be located.

(C) The city of Rising Sun.

(D) Ohio County.

(3) Each supplemental bid must clearly identify the amount, recipient, and timing of a proposed payment under subdivision (2).

(4) An applicant may include in a supplemental bid modifications to the information submitted by the applicant under:

(A) section 4(a)(1)(B)(iii) through 4(a)(1)(B)(v) of this chapter; and

(B) section 4(a)(1)(C) of this chapter.

(5) A unit (as defined in IC 36-1-2-23) may not negotiate directly with a licensed owner or permit holder submitting a supplemental bid.

(d) If a supplemental bid is submitted under this section, the commission is not required to consider only applications accompanied by a supplemental bid. The commission may approve an application that was not accompanied by a supplemental bid.

(e) After the commission makes a final decision under section 8 of this chapter, the commission must make public each supplemental bid received under this section.

Sec. 8. (a) After issuing the informational summary required under section 6(a)(2) of this chapter, and not later than April 15, 2027, the commission shall issue a final decision approving or denying each application. The final decision must include written findings explaining the decision.

(b) The commission may:

(1) approve only one (1) application under subsection (a); and

(2) deny all of the filed applications if the commission determines that none of the applications serve the interests of the state.

Sec. 9. (a) If the commission approves an application of a licensed owner or permit holder to relocate gaming operations under section 8 of this chapter, the commission:

(1) shall require the licensed owner or permit holder to pay to the commission a fee of fifty million dollars (\$50,000,000) in the manner described in subsection (b);

(2) shall require the licensed owner or permit holder to make



a one (1) time payment in the total amount of thirty million dollars (\$30,000,000) to the city of Rising Sun and Ohio County, due on the date set by the commission under section 12 of this chapter for the license transfer; and

(3) may impose other requirements that the commission deems necessary and appropriate to protect the interest of the state and the person whose application is approved under section 8 of this chapter.

(b) The payment required by subsection (a)(1) must be paid to the commission in five (5) annual payments of equal amounts. The first payment required by this section is due within thirty (30) days of the approval of the application under section 8 of this chapter. The four (4) remaining annual payments are each due on the anniversary date of the first payment.

(c) The commission shall deposit the fee received under subsection (a) in the state general fund.

Sec. 10. (a) The commission shall contract with an independent third party consultant to determine the fair market value of the Ohio County license. IC 5-22 does not apply to procurement by the commission with respect to the contract required under this subsection.

(b) The fair market value determined under subsection (a) must be disclosed to the public not later than October 1, 2026.

(c) This subsection does not apply if the commission approves an application to relocate gaming operations under section 8 of this chapter submitted by the current owner of the Ohio County license. The licensed owner or permit holder whose application was approved under section 8 of this chapter shall pay the amount determined under subsection (a) to the owner of the Ohio County license.

Sec. 11. (a) The commission may enforce the phasing and completion timelines to which the licensed owner or permit holder committed under section 4(a) of this chapter.

(b) If the licensed owner or permit holder whose application was approved by the commission under section 8 of this chapter sells or otherwise transfers the licensed owner's or permit holder's interest in the owner's license within ten (10) years from the date the application was approved, the following apply:

(1) The licensed owner or permit holder shall pay a fee of fifty million dollars (\$50,000,000) to the commission before the sale or transfer of the license may be approved by the commission. Any payment required under this subdivision shall be



deposited in the state general fund.

(2) If, at the time of the transfer of ownership, the five hundred million dollar (\$500,000,000) investment to which the licensed owner or permit holder committed under section 4(a)(1)(C) of this chapter has not been met, the person acquiring the owner's license shall, not later than ten (10) years from the date the application was approved by the commission under section 8 of this chapter, invest in the casino and nongaming amenities an amount that is at least equal to the difference between five hundred million dollars (\$500,000,000) and the amount actually invested by the person transferring the owner's license.

Sec. 12. (a) The owner of the Ohio County license may continue gambling operations on the riverboat in Ohio County:

(1) during the application, review, and approval process under this chapter; and

(2) if an application is approved under section 8 of this chapter, until one (1) day before the date the commission has approved gambling operations to begin under the relocated owner's license in Allen County, DeKalb County, Steuben County, or Wayne County.

(b) If the commission approves an application to relocate gaming operations under section 8 of this chapter, the following apply:

(1) The owner of the Ohio County license shall cease gambling operations on the riverboat in Ohio County not later than one (1) day before the date the commission has approved gambling operations to begin under the relocated owner's license in Allen County, DeKalb County, Steuben County, or Wayne County.

(2) After gambling operations cease on the riverboat in Ohio County under subdivision (1), and before the date the commission has approved gambling operations to begin under the relocated owner's license, the commission shall promptly transfer the owner's license issued under IC 4-33-6-1(a) to the licensed owner or permit holder whose application was approved under section 8 of this chapter.

(3) The licensed owner or permit holder to whom the owner's license is transferred under subdivision (2) is authorized to begin gambling operations in a casino in Allen County, DeKalb County, Steuben County, or Wayne County in accordance with IC 4-33-6-1(a)(7) and this chapter."



Delete pages 5 and 6.

Page 7, delete lines 1 through 14.

Page 7, line 40, after "County" insert ", **DeKalb County, Steuben County, or Wayne County under IC 4-33-6.8**".

Page 9, line 12, delete "County." and insert "**County, DeKalb County, Steuben County, or Wayne County under IC 4-33-6.8**".

Page 9, line 15, delete "located in Allen County:" and insert ":".

Page 9, line 18, delete "Allen County." and insert "**the county in which the casino conducts gaming operations**".

Page 10, line 35, delete "or Allen County;" and insert ", **Allen County, DeKalb County, Steuben County, or Wayne County**;"

Page 13, line 35, delete "or Allen County." and insert ", **Allen County, DeKalb County, Steuben County, or Wayne County**".

Page 14, line 41, delete "or Allen County." and insert ", **Allen County, DeKalb County, Steuben County, or Wayne County**".

Page 15, line 30, delete "or Allen County." and insert ", **Allen County, DeKalb County, Steuben County, or Wayne County**".

Page 17, after line 30, begin a new paragraph and insert:

"**SECTION 11. An emergency is declared for this act.**"

and when so amended that said bill do pass.

(Reference is to HB 1038 as introduced.)

MANNING

Committee Vote: yeas 9, nays 1.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1038, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 13, delete lines 5 through 30, begin a new paragraph and insert:

"**SECTION 9. IC 4-33-12-8.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8.7. (a) This section applies only to tax revenue collected from an inland casino located in Allen County, DeKalb County, Steuben County, or Wayne County under**

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IC 4-33-6.8.

(b) The treasurer of state shall pay the following amounts from taxes collected during the preceding calendar quarter from the inland casino:

(1) Ten percent (10%) to one (1) of the following:

(A) The regional development authority established under IC 36-7.6 for northeast Indiana, if the commission approves an application under IC 4-33-6.8-8 to operate an inland casino in Allen County, DeKalb County, or Steuben County.

(B) The regional development authority established under IC 36-7.6 of which Wayne County is a member, if the commission approves an application under IC 4-33-6.8-8 to operate an inland casino in Wayne County.

(2) Forty-five percent (45%) to the city in which the casino conducts gaming operations.

(3) Forty-five percent (45%) to county in which the casino conducts gaming operations.

(c) This subsection applies to a city or county receiving money under subsection (b). Money paid to a city or county under subsection (b):

(1) must be paid to the fiscal officer of the unit and may be deposited in the unit's general fund or a riverboat fund established by the city or county under IC 36-1-8-9, or both;

(2) may not be used to reduce the unit's maximum levy under IC 6-1.1-18.5 but may be used at the discretion of the unit to reduce the property tax levy of the unit for a particular year;

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

(4) is considered miscellaneous revenue.

(d) Money paid under subsection (b)(1) must be deposited in the development authority fund established under IC 36-7.6-4-1 for the regional development authority to which the money is due."

and when so amended that said bill do pass.

(Reference is to HB 1038 as printed January 22, 2026.)

THOMPSON

Committee Vote: yeas 10, nays 8.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1038 be amended to read as follows:

Page 3, between lines 28 and 29, begin a new paragraph and insert:

"SECTION 4. IC 4-33-6-19.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 19.5. (a) Not later than June 1, 2026, the legislative body of Allen County, DeKalb County, Steuben County, or Wayne County may adopt a resolution stating that the legislative body wishes to seek approval from the voters of the county to permit inland casino gambling in the county.**

(b) A county legislative body that adopts a resolution under this subsection shall certify the following public question to the county election board under IC 3-10-9-3 not later than noon August 1, 2026, for placement on the 2026 general election ballot:

"Shall inland casino gambling be permitted in (insert the name of the county)?"

(c) The public question shall be placed on the ballot as provided in IC 3-10-9.

(d) Each registered voter of the county is entitled to vote on the public question.

(e) The circuit court clerk shall certify the results of the public question under IC 3-12-4-9 to the commission."

Page 7, line 3, delete "(d)." and insert "(e)."

Page 7, line 13, delete "The" and insert "**Subject to subsection (d), the**".

Page 7, between lines 30 and 31, begin a new paragraph and insert:

"(d) In deciding whether to approve or deny an application submitted under section 4 of this chapter, the commission may consider:

(1) whether a public question was on the 2026 general election ballot under IC 4-33-6-19.5 in the county in which the applicant proposes to operate an inland casino; and

(2) if a public question was on the ballot as described in subdivision (1), the results of the public question certified to the commission under IC 4-33-6-19.5(e)."

Page 7, line 31, delete "(d)" and insert "(e)".

Page 7, line 34, delete "(e)" and insert "(f)".

Page 11, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 8. IC 4-33-10-2.5, AS AMENDED BY P.L.186-2025, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



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

(b) The definitions in IC 3-5-2.1 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 35-31.5-2-253) 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, ~~or~~ IC 4-33-6-19.3, **or IC 4-33-6-19.5.**

(h) A person who knowingly or intentionally violates this section commits a Level 6 felony."

Renumber all SECTIONS consecutively.

(Reference is to HB 1038 as printed January 27, 2026.)

SMALTZ



COMMITTEE REPORT

Mr. President: The Senate Committee on Public Policy, to which was referred House Bill No. 1038, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS and be reassigned to the Senate Committee on Appropriations.

(Reference is to HB 1038 as reprinted January 30, 2026.)

ALTING, Chairperson

Committee Vote: Yeas 7, Nays 3

