



PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

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

- 1 Page 3, between lines 28 and 29, begin a new paragraph and insert:
- 2 "SECTION 4. IC 4-33-6-19.5 IS ADDED TO THE INDIANA
- 3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE UPON PASSAGE]: **Sec. 19.5. (a) Not later than June**
- 5 **1, 2026, the legislative body of Allen County, DeKalb County,**
- 6 **Steuben County, or Wayne County may adopt a resolution stating**
- 7 **that the legislative body wishes to seek approval from the voters of**
- 8 **the county to permit inland casino gambling in the county.**
- 9 (b) A county legislative body that adopts a resolution under this
- 10 subsection shall certify the following public question to the county
- 11 election board under IC 3-10-9-3 not later than noon August 1,
- 12 2026, for placement on the 2026 general election ballot:
- 13 "Shall inland casino gambling be permitted in (insert the
- 14 name of the county)?"
- 15 (c) The public question shall be placed on the ballot as provided
- 16 in IC 3-10-9.
- 17 (d) Each registered voter of the county is entitled to vote on the
- 18 public question.
- 19 (e) The circuit court clerk shall certify the results of the public
- 20 question under IC 3-12-4-9 to the commission."
- 21 Page 7, line 3, delete "(d)." and insert "(e)."
- 22 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

1 a local public question under IC 4-33-6-19, ~~or~~ IC 4-33-6-19.3, ~~or~~
2 **IC 4-33-6-19.5.**

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

5 Renumber all SECTIONS consecutively.

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

Representative Smaltz