



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WITHDRAWN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 1, line 14, after "DeKalb County," insert "**Marion County**,".
- 2 Page 2, line 29, after "DeKalb County," insert "**Marion County**,".
- 3 Page 3, line 20, after "DeKalb County," insert "**Marion County**,".
- 4 Page 3, line 25, delete "County, Steuben" and insert "**County,**
- 5 **Marion County, Steuben**".
- 6 Page 3, between lines 28 and 29, begin a new paragraph and insert:
- 7 "SECTION 4. IC 4-33-6-19.5 IS ADDED TO THE INDIANA
- 8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 9 [EFFECTIVE UPON PASSAGE]: **Sec. 19.5. (a) The legislative body**
- 10 **of Allen County, DeKalb County, Marion County, Steuben County,**
- 11 **or Wayne County may adopt a resolution stating that the**
- 12 **legislative body wishes to seek approval from the voters of the**
- 13 **county to permit inland casino gambling in the county.**
- 14 **(b) A county legislative body that adopts a resolution under this**
- 15 **section shall certify the following public question to the county**
- 16 **election board under IC 3-10-9-3 not later than noon August 1,**
- 17 **2026, for placement on the 2026 general election ballot:**
- 18 **"Shall inland casino gambling be permitted in (insert the**
- 19 **name of the county)?".**
- 20 **(c) The public question shall be placed on the ballot as provided**
- 21 **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 3, line 36, after "DeKalb County," insert "**Marion County,**".

Page 5, line 1, after "DeKalb County," insert "**Marion County,**".

Page 5, line 15, after "DeKalb County," insert "**Marion County,**".

Page 5, line 24, after "DeKalb County," insert "**Marion County,**".

Page 6, line 20, after "DeKalb County," insert "**Marion County,**".

Page 6, line 28, after "chapter" insert "**, or, in the case of Marion County, by a majority of the city-county council,**".

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) The commission may not approve an application submitted under section 4 of this chapter unless the voters of the county in which the applicant proposes to operate an inland casino have voted in favor of a public question under IC 4-31-4-3(e) or IC 4-33-6-19.5."

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

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

Page 10, line 29, after "DeKalb County," insert "**Marion County,**".

Page 10, line 38, after "DeKalb County," insert "**Marion County,**".

Page 11, line 8, after "DeKalb County," insert "**Marion County,**".

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."

Page 11, line 35, after "DeKalb County," insert "**Marion County**,".

Page 13, line 9, after "DeKalb County," insert "**Marion County**,".

Page 13, between lines 23 and 24, begin a new line double block indented and insert:

"(C) The regional development authority established under IC 36-7.7 of which a consolidated city is a member, if the commission approves an application under IC 4-33-6.8-8 to operate an inland casino in Marion County."

Page 15, line 6, delete "County, Steuben" and insert "**County, Marion County, Steuben**".

Page 18, line 7, delete "County, Steuben" and insert "**County, Marion County, Steuben**".

Page 19, line 13, after "DeKalb County," insert "**Marion County**,".

Page 20, line 3, after "DeKalb County," insert "**Marion County**,".

Renumber all SECTIONS consecutively.

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

Representative Moed