



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WITHDRAWN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.**

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

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

5 Page 3, line 36, after "DeKalb County," insert "**Marion County**".

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

34 (1) an owner's license issued under this article;

35 (2) a supplier's license issued under this article to a supplier of
36 gaming supplies or equipment, including electronic gaming
37 equipment; or

38 (3) an operating agent contract entered into under this article.

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

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

43 (1) An individual listed as an officer of a corporation in the
44 corporation's most recent annual report.

45 (2) An individual who is a successor to an individual described in
46 subdivision (1).

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

3 (1) The person holds at least a one percent (1%) interest in the
4 licensee.

5 (2) The person is an officer of the licensee.

6 (3) The person is an officer of a person that holds at least a one
7 percent (1%) interest in the licensee.

8 (4) The person is a political action committee of the licensee.

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

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

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

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

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

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

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

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

31 Renumber all **SECTIONS** consecutively.

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

Representative Moed