



# SENATE MOTION

MR. PRESIDENT:

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

- 1           Page 13, between lines 27 and 28, begin a new paragraph and insert:  
2           "SECTION 12. IC 4-33-13-1.5, AS AMENDED BY P.L.137-2022,  
3           SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4           JULY 1, 2026]: Sec. 1.5. (a) This subsection applies only to a riverboat  
5           that received at least ~~seventy-five million dollars (\$75,000,000)~~ **fifty**  
6           **million dollars (\$50,000,000)** of adjusted gross receipts during the  
7           preceding state fiscal year. A graduated tax is imposed on the adjusted  
8           gross receipts received from gambling games authorized under this  
9           article as follows:  
10           (1) For state fiscal years ending before July 1, 2021, fifteen  
11           percent (15%), and for state fiscal years beginning after June 30,  
12           2021, ten percent (10%), of the first twenty-five million dollars  
13           (\$25,000,000) of adjusted gross receipts received during the  
14           period beginning July 1 of each year and ending June 30 of the  
15           following year.  
16           (2) Twenty percent (20%) of the adjusted gross receipts in excess  
17           of twenty-five million dollars (\$25,000,000) but not exceeding  
18           fifty million dollars (\$50,000,000) received during the period  
19           beginning July 1 of each year and ending June 30 of the following  
20           year.  
21           (3) Twenty-five percent (25%) of the adjusted gross receipts in  
22           excess of fifty million dollars (\$50,000,000) but not exceeding  
23           seventy-five million dollars (\$75,000,000) received during the  
24           period beginning July 1 of each year and ending June 30 of the  
25           following year.  
26           (4) Thirty percent (30%) of the adjusted gross receipts in excess  
27           of seventy-five million dollars (\$75,000,000) but not exceeding

- 1 one hundred fifty million dollars (\$150,000,000) received during  
 2 the period beginning July 1 of each year and ending June 30 of  
 3 the following year.
- 4 (5) Thirty-five percent (35%) of all adjusted gross receipts in  
 5 excess of one hundred fifty million dollars (\$150,000,000) but not  
 6 exceeding six hundred million dollars (\$600,000,000) received  
 7 during the period beginning July 1 of each year and ending June  
 8 30 of the following year.
- 9 (6) Forty percent (40%) of all adjusted gross receipts exceeding  
 10 six hundred million dollars (\$600,000,000) received during the  
 11 period beginning July 1 of each year and ending June 30 of the  
 12 following year.
- 13 (b) This subsection applies only to a riverboat that received less than  
 14 ~~seventy-five million dollars (\$75,000,000)~~ **fifty million dollars**  
 15 **(\$50,000,000)** of adjusted gross receipts during the preceding state  
 16 fiscal year. A graduated tax is imposed on the adjusted gross receipts  
 17 received from gambling games authorized under this article as follows:
- 18 (1) For state fiscal years ending before July 1, 2021, five percent  
 19 (5%), and for state fiscal years beginning after June 30, 2021, two  
 20 and one-half percent (2.5%), of the first twenty-five million  
 21 dollars (\$25,000,000) of adjusted gross receipts received during  
 22 the period beginning July 1 of each year and ending June 30 of  
 23 the following year.
- 24 (2) For state fiscal years ending before July 1, 2021, twenty  
 25 percent (20%), and for state fiscal years beginning after June 30,  
 26 2021, ten percent (10%), of the adjusted gross receipts in excess  
 27 of twenty-five million dollars (\$25,000,000) but not exceeding  
 28 fifty million dollars (\$50,000,000) received during the period  
 29 beginning July 1 of each year and ending June 30 of the following  
 30 year.
- 31 (3) For state fiscal years ending before July 1, 2021, twenty-five  
 32 percent (25%), and for state fiscal years beginning after June 30,  
 33 2021, twenty percent (20%), of the adjusted gross receipts in  
 34 excess of fifty million dollars (\$50,000,000) but not exceeding  
 35 seventy-five million dollars (\$75,000,000) received during the  
 36 period beginning July 1 of each year and ending June 30 of the  
 37 following year.
- 38 (4) Thirty percent (30%) of the adjusted gross receipts in excess  
 39 of seventy-five million dollars (\$75,000,000) but not exceeding  
 40 one hundred fifty million dollars (\$150,000,000) received during  
 41 the period beginning July 1 of each year and ending June 30 of  
 42 the following year.
- 43 (5) Thirty-five percent (35%) of all adjusted gross receipts in  
 44 excess of one hundred fifty million dollars (\$150,000,000) but not  
 45 exceeding six hundred million dollars (\$600,000,000) received  
 46 during the period beginning July 1 of each year and ending June

- 1           30 of the following year.
- 2           (6) Forty percent (40%) of all adjusted gross receipts exceeding
- 3           six hundred million dollars (\$600,000,000) received during the
- 4           period beginning July 1 of each year and ending June 30 of the
- 5           following year.
- 6           (c) The licensed owner or operating agent of a riverboat taxed under
- 7           subsection (b) shall pay an additional tax of two million five hundred
- 8           thousand dollars (\$2,500,000) in any state fiscal year in which the
- 9           riverboat's adjusted gross receipts exceed ~~seventy-five million dollars~~
- 10          (\$75,000,000): **fifty million dollars (\$50,000,000)**. The additional tax
- 11          imposed under this subsection is due before July 1 of the following
- 12          state fiscal year.
- 13          (d) The licensed owner or operating agent shall:
- 14               (1) remit the daily amount of tax imposed by this chapter to the
- 15               department on the twenty-fourth calendar day of each month for
- 16               the wagering taxes collected that month; and
- 17               (2) report gaming activity information to the commission daily on
- 18               forms prescribed by the commission.
- 19          Any taxes collected during the month but after the day on which the
- 20          taxes are required to be paid to the department shall be paid to the
- 21          department at the same time the following month's taxes are due.
- 22          (e) The payment of the tax under this section must be reported and
- 23          remitted electronically through the department's online tax filing
- 24          program.
- 25          (f) If the department requires taxes to be remitted under this chapter
- 26          through electronic funds transfer, the department may allow the
- 27          licensed owner or operating agent to file a monthly report to reconcile
- 28          the amounts remitted to the department."
- 29          Renumber all SECTIONS consecutively.
- (Reference is to EHB 1038 as printed February 20, 2026.)

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Senator MAXWELL