



SENATE MOTION

MR. PRESIDENT:

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

- 1 Page 4, between lines 34 and 35, begin a new paragraph and insert:
2 "SECTION 6. 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) The legislative body**
5 **of Allen County, DeKalb County, and Steuben County shall certify**
6 **the following public question to the county election board under**
7 **IC 3-10-9-3 not later than noon August 1, 2026, for placement on**
8 **the 2026 general election ballot:**
9 **"Shall inland casino gambling be permitted in (insert the**
10 **name of the county)?"**.
11 **(b) The public question shall be placed on the ballot as provided**
12 **in IC 3-10-9.**
13 **(c) Each registered voter of the county is entitled to vote on the**
14 **public question.**
15 **(d) The circuit court clerk shall certify the results of the public**
16 **question under IC 3-12-4-9 to the commission."**
17 Page 8, line 1, delete "and" and insert "**through**".
18 Page 8, between lines 28 and 29, begin a new paragraph and insert:
19 **"(d) The commission may not approve an application submitted**
20 **under section 3 of this chapter unless the voters of the county in**
21 **which the applicant proposes to operate an inland casino have**
22 **voted in favor of a public question under IC 4-33-6-19.5."**
23 Page 8, line 29, delete "(d)" and insert "**(e)**".
24 Page 8, line 32, delete "(e)" and insert "**(f)**".
25 Page 11, between lines 2 and 3, begin a new paragraph and insert:
26 "SECTION 10. IC 4-33-10-2.5, AS AMENDED BY P.L.186-2025,
27 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

- 1 UPON PASSAGE]: Sec. 2.5. (a) This section applies only to property
 2 given after June 30, 1996.
- 3 (b) The definitions in IC 3-5-2.1 apply to this section to the extent
 4 they do not conflict with the definitions in this article.
- 5 (c) As used in this section, "license" means:
 6 (1) an owner's license issued under this article;
 7 (2) a supplier's license issued under this article to a supplier of
 8 gaming supplies or equipment, including electronic gaming equipment;
 9 or
- 10 (3) an operating agent contract entered into under this article.
- 11 (d) As used in this section, "licensee" means a person who holds a
 12 license. The term includes an operating agent.
- 13 (e) As used in this section, "officer" refers only to either of the
 14 following:
 15 (1) An individual listed as an officer of a corporation in the
 16 corporation's most recent annual report.
 17 (2) An individual who is a successor to an individual described in
 18 subdivision (1).
- 19 (f) For purposes of this section, a person is considered to have an
 20 interest in a licensee if the person satisfies any of the following:
 21 (1) The person holds at least a one percent (1%) interest in the
 22 licensee.
 23 (2) The person is an officer of the licensee.
 24 (3) The person is an officer of a person that holds at least a one
 25 percent (1%) interest in the licensee.
 26 (4) The person is a political action committee of the licensee.
- 27 (g) A licensee or a person with an interest in a licensee may not give
 28 any property (as defined in IC 35-31.5-2-253) to a member of a
 29 precinct committee to induce the member of the precinct committee to
 30 do any act or refrain from doing any act with respect to the approval of
 31 a local public question under IC 4-33-6-19, ~~or~~ IC 4-33-6-19.3, **or**
 32 **IC 4-33-6-19.5.**
- 33 (h) A person who knowingly or intentionally violates this section
 34 commits a Level 6 felony."
 35 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1038 as printed February 20, 2026.)

Senator BROWN L