



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) Not later than June**
5 **1, 2026, the legislative body of Allen County, DeKalb County, or**
6 **Steuben County may adopt a resolution stating that the legislative**
7 **body wishes to seek approval from the voters of the county to**
8 **permit inland casino gambling in the county.**
9 **(b) A county legislative body that adopts a resolution under this**
10 **section 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 8, between lines 28 and 29, begin a new paragraph and insert:
22 **"(d) In deciding whether to approve or deny an application**
23 **submitted under section 4 of this chapter, the commission may**
24 **consider:**
25 **(1) whether a public question was on the 2026 general election**
26 **ballot under IC 4-33-6-19.5 in the county in which the**
27 **applicant proposes to operate an inland casino; and**
28 **(2) if a public question was on the ballot as described in**

- 1 **subdivision (1), the results of the public question certified to**
 2 **the commission under IC 4-33-6-19.5(e)."**
 3 Page 8, line 29, delete "(d)" and insert "(e)".
 4 Page 8, line 32, delete "(e)" and insert "(f)".
 5 Page 11, between lines 2 and 3, begin a new paragraph and insert:
 6 "SECTION 11. IC 4-33-10-2.5, AS AMENDED BY P.L.186-2025,
 7 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 UPON PASSAGE]: Sec. 2.5. (a) This section applies only to property
 9 given after June 30, 1996.
 10 (b) The definitions in IC 3-5-2.1 apply to this section to the extent
 11 they do not conflict with the definitions in this article.
 12 (c) As used in this section, "license" means:
 13 (1) an owner's license issued under this article;
 14 (2) a supplier's license issued under this article to a supplier of
 15 gaming supplies or equipment, including electronic gaming
 16 equipment; or
 17 (3) an operating agent contract entered into under this article.
 18 (d) As used in this section, "licensee" means a person who holds a
 19 license. The term includes an operating agent.
 20 (e) As used in this section, "officer" refers only to either of the
 21 following:
 22 (1) An individual listed as an officer of a corporation in the
 23 corporation's most recent annual report.
 24 (2) An individual who is a successor to an individual described in
 25 subdivision (1).
 26 (f) For purposes of this section, a person is considered to have an
 27 interest in a licensee if the person satisfies any of the following:
 28 (1) The person holds at least a one percent (1%) interest in the
 29 licensee.
 30 (2) The person is an officer of the licensee.
 31 (3) The person is an officer of a person that holds at least a one
 32 percent (1%) interest in the licensee.
 33 (4) The person is a political action committee of the licensee.
 34 (g) A licensee or a person with an interest in a licensee may not give
 35 any property (as defined in IC 35-31.5-2-253) to a member of a
 36 precinct committee to induce the member of the precinct committee to
 37 do any act or refrain from doing any act with respect to the approval of
 38 a local public question under IC 4-33-6-19, ~~or~~ IC 4-33-6-19.3, **or**
 39 **IC 4-33-6-19.5.**
 40 (h) A person who knowingly or intentionally violates this section
 41 commits a Level 6 felony."

- 1 Renumber all SECTIONS consecutively.
(Reference is to EHB 1038 as printed February 20, 2026.)

Senator JOHNSON T