

# PROPOSED AMENDMENT

## HB 1038 # 8

### DIGEST

Pari-mutuel wagering. Authorizes a permit holder to operate historical horse racing machines at a satellite facility to conduct and supervise pari-mutuel wagers on historic horse races. Provides that certain requirements concerning local approval do not apply to the relocation of a satellite facility to another location in the same county in which the satellite facility operates.

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- 1       Page 1, between the enacting clause and line 1, begin a new  
2 paragraph and insert:  
3       "SECTION 1. IC 4-31-2.1-15.5 IS ADDED TO THE INDIANA  
4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
5 [EFFECTIVE JULY 1, 2026]: **Sec. 15.5. "Historic horse race" means**  
6 **a horse race that was previously conducted at a recognized meeting**  
7 **that concluded with official results without scratches,**  
8 **disqualifications, or dead-heat finishes.**  
9       SECTION 2. IC 4-31-2.1-15.6 IS ADDED TO THE INDIANA  
10 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
11 [EFFECTIVE JULY 1, 2026]: **Sec. 15.6. "Historical horse racing**  
12 **machine" means a pari-mutuel wagering system:**  
13       **(1) that allows a patron to place a pari-mutuel wager on a**  
14 **historic horse race through:**  
15       **(A) an electronic device; or**  
16       **(B) another technological device or terminal;**  
17       **(2) that is approved by the commission; and**  
18       **(3) in which wagers are pooled in a pari-mutuel wagering**  
19 **pool.**  
20       SECTION 3. IC 4-31-2.1-25, AS ADDED BY P.L.105-2022,  
21 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
22 JULY 1, 2026]: **Sec. 25. "Pari-mutuel wagering" means a system of**  
23 **wagering, including wagering on historic horse racing machines,** in  
24 which those persons who wager on horses that finish in specified  
25 positions share the total amount wagered, minus deductions permitted  
26 by law.

SECTION 4. IC 4-31-4-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 0.5. The requirements under this chapter do not apply to the relocation of a satellite facility to another location in the same county in which the satellite facility operates.**

SECTION 5. IC 4-31-5.5-6, AS AMENDED BY P.L.165-2021, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) A permit holder or group of permit holders that is authorized to operate satellite facilities may accept and transmit pari-mutuel wagers on horse racing **(including on live, simulcast, or historic horse races)** at those facilities and may engage in all activities necessary to establish and operate appropriate satellite wagering facilities, including the following:

- (1) Live simulcasts of horse racing conducted at the permit holder's racetrack or at other racetracks. However, a satellite facility operated by a permit holder may not simulcast races conducted in other states on any day that is not a live racing day (as defined in section 3 of this chapter) unless the satellite facility also simulcasts all available races conducted in Indiana on that day.
- (2) Construction or leasing of satellite wagering facilities.
- (3) Sale of food and beverages.
- (4) Advertising and promotion.
- (5) All other related activities.

(b) A permit holder authorized to operate a satellite facility may use an approved limited mobile gaming system to accept pari-mutuel wagers on horse racing at the satellite facility in accordance with IC 4-31-7-10.

(c) A permit holder authorized to operate a satellite facility may accept and transmit pari-mutuel wagers on races conducted at a racetrack that has entered into a simulcasting contract with the permit holder even if the races are conducted during a time when the satellite facility is not open.

**(d) Subject to rules adopted by the commission, a permit holder is authorized to operate historical horse racing machines at a satellite facility to conduct and supervise pari-mutuel wagers on historic horse races.**

SECTION 6. IC 4-31-7-1, AS AMENDED BY P.L.165-2021, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) A person holding a permit to conduct a

horse racing meeting or a license to operate a satellite facility may provide a place in the racing meeting grounds or enclosure or the satellite facility at which the person may conduct and supervise the pari-mutuel system of wagering by patrons of legal age on horse races conducted or simulcast by the person, and as permitted in **subsection (c)**, section 7 of this chapter, IC 4-31-5.5, and IC 4-31-7.5. The person may not permit or use:

- (1) another place other than that provided and designated by the person; or
- (2) another method or system of betting or wagering.

However, a permit holder licensed to conduct gambling games under IC 4-35 may permit wagering on gambling games at a racetrack as permitted by IC 4-35.

(b) Except as provided in **subsection (c)**, section 7 of this chapter, IC 4-31-5.5, and IC 4-31-7.5, the pari-mutuel system of wagering may not be conducted on any races except the races at the racetrack, grounds, or enclosure for which the person holds a permit.

**(c) A permit holder authorized to operate a satellite facility may conduct pari-mutuel wagering on historic horse races at the satellite facility with historical horse racing machines. The commission shall adopt rules governing wagering on historic horse races. Wagering under this subsection must be conducted in accordance with this section and rules adopted by the commission."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1038 as introduced.)