

PROPOSED AMENDMENT

EH 1038 # 33

DIGEST

Various changes. Removes the provisions in the bill that authorize the relocation of the Ohio County river boat license, but retains the provisions in the bill under which the Indiana gaming commission may award a new license. Removes Wayne County as a potential site for the new license. Removes the provision regarding an optional referendum. Provides that if a licensed owner ceases operations or goes out of business, the license issued under this section is terminated effective on that date. Requires an approved applicant to pay \$150,000,000 to the Indiana gaming commission instead of \$50,000,000 under the current bill. Requires \$100,000,000 of the amount to be deposited in the state general fund and \$50,000,000 of the amount to be deposited in a dedicated fund to be used for funding to local units that are affected by a riverboat or inland casino closure. Provides that the horse racing commission may issue three satellite facility licenses (instead of four per permit holder under current law).

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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 4-31-5.5-3, AS AMENDED BY P.L.233-2007,
4 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 UPON PASSAGE]: Sec. 3. (a) As used in this section, "live racing day"
6 means a day on which at least eight (8) live horse races are conducted.
7 (b) The commission's authority to issue satellite facility licenses is
8 subject to the following conditions:
9 (1) ~~Except as provided in subsection (c),~~ The commission may
10 issue ~~four (4)~~ **not more than three (3)** satellite facility licenses.
11 ~~to each permit holder that meets the other requirements of this~~
12 ~~chapter and the rules adopted under this chapter. A satellite~~
13 **facility license may be issued only to a permit holder.**
14 (2) Each proposed satellite facility must be covered by a separate
15 application. The timing for filing an initial application for a
16 satellite facility license shall be established by the rules of the
17 commission.
18 (3) A satellite facility must:
19 (A) have full dining service available;
20 (B) have multiple screens to enable each patron to view
21 simulcast races; and

- 1 (C) be designed to seat comfortably a minimum of two
 2 hundred (200) persons.
- 3 (4) In determining whether a proposed satellite facility should be
 4 approved, the commission shall consider the following:
- 5 (A) The purposes and provisions of this chapter.
 6 (B) The public interest.
 7 (C) The impact of the proposed satellite facility on live racing.
 8 (D) The impact of the proposed satellite facility on the local
 9 community.
 10 (E) The potential for job creation.
 11 (F) The quality of the physical facilities and the services to be
 12 provided at the proposed satellite facility.
 13 (G) Any other factors that the commission considers important
 14 or relevant to its decision.
- 15 (5) The commission may not issue a license for a satellite facility
 16 to be located in a county unless IC 4-31-4 has been satisfied.
- 17 ~~(e) A permit holder licensed to conduct gambling games under~~
 18 ~~IC 4-35 is limited to the number of satellite facility licenses issued to~~
 19 ~~the permit holder before January 1, 2007."~~
- 20 Page 1, line 15, delete "Steuben County, or Wayne County" and
 21 insert "**or Steuben County**".
- 22 Page 1, between lines 15 and 16, begin a new paragraph and insert:
 23 "SECTION 4. IC 4-33-4-28 IS ADDED TO THE INDIANA CODE
 24 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE**
 25 **UPON PASSAGE]: Sec. 28. (a) The shuttered riverboat fund is**
 26 **established as a dedicated fund for the purposes set forth in this**
 27 **section.**
- 28 **(b) The commission shall administer the fund.**
- 29 **(c) The fund consists of money deposited in the fund under**
 30 **IC 4-33-6.8-8(c).**
- 31 **(d) Subject to appropriation by the general assembly, money in**
 32 **the fund may be used for local units that are affected by a**
 33 **shuttered riverboat or inland casino closure under IC 4-33-6.8.**
- 34 **(e) Money in the fund is not subject to state board of finance**
 35 **transfer."**
- 36 Page 2, line 4, strike "ten (10)" and insert "**eleven (11)**".
- 37 Page 2, line 29, after "DeKalb County," insert "**or**".
- 38 Page 2, line 30, delete "County, or Wayne County" and insert
 39 "**County**".
- 40 Page 3, delete lines 15 through 20, begin a new paragraph and

1 insert:

2 **"(e) If a licensed owner ceases operations or goes out of business,**
3 **the license issued under this section is terminated effective on that**
4 **date."**

5 Page 3, line 25, delete "Steuben County, or Wayne County" and
6 insert "**or Steuben County**".

7 Page 3, delete lines 29 through 42.

8 Page 4, delete lines 1 through 5.

9 Page 4, line 13, delete "Steuben County, or" and insert "**or Steuben**
10 **County**".

11 Page 4, line 14, delete "Wayne County".

12 Page 5, line 21, delete "Steuben County, or Wayne County" and
13 insert "**or Steuben County**".

14 Page 5, delete lines 27 through 29.

15 Page 5, line 30, delete "2." and insert "**1.**".

16 Page 5, delete lines 32 through 38, begin a new paragraph and
17 insert:

18 **"Sec. 2. The commission may issue in the manner required by**
19 **this chapter a license to operate an inland casino in Allen County,**
20 **DeKalb County, or Steuben County.**

21 **Sec. 3. (a) Any operator in the United States may apply for a**
22 **license to own and operate an inland casino under this chapter by**
23 **submitting the following to the commission not later than**
24 **November 1, 2026:"**

25 Page 6, line 2, delete "Steuben County, or Wayne County." and
26 insert "**or Steuben County**".

27 Page 6, line 19, delete "." and insert "**within two (2) years from the**
28 **date the license is awarded.**".

29 Page 6, line 27, delete "5(a)" and insert "**4(a)**".

30 Page 6, delete lines 34 through 42, begin a new line block indented
31 and insert:

32 **"(1) subject to section 6 of this chapter, more than one (1)**
33 **application from a licensed owner or permit holder;**

34 **(2) an application that proposes to operate an inland casino in**
35 **a county other than Allen County, DeKalb County, or Steuben**
36 **County; or**

37 **(3) an application that does not include the information and**
38 **documents required under subsection (a)."**

39 Page 7, line 1, delete "5." and insert "**4.**".

40 Page 7, line 2, delete "4" and insert "**3**".

- 1 Page 7, delete lines 3 through 10, begin a new line block indented
2 and insert:
- 3 **"(1) A copy of a resolution adopted by a majority of the board**
4 **of county commissioners of the county selected by the**
5 **applicant under section 3(a)(1)(A) of this chapter that**
6 **supports the applicant's proposed license."**
- 7 Page 7, line 14, delete "7" and insert "6".
8 Page 7, line 20, delete "6." and insert "5."
9 Page 7, line 21, delete "4" and insert "3".
10 Page 7, line 32, delete "Subject to subsection (d), the" and insert
11 **"The"**.
- 12 Page 7, line 34, delete "4" and insert "3".
13 Page 7, line 40, delete "4(a)(1)(C)" and insert **"3(a)(1)(C)"**.
14 Page 8, line 7, delete "7" and insert "6".
15 Page 8, delete lines 9 through 17.
16 Page 8, line 18, delete "(e)" and insert **"(d)"**.
17 Page 8, line 19, delete "4" and insert "3".
18 Page 8, line 21, delete "(f)" and insert **"(e)"**.
19 Page 8, line 24, delete "7." and insert **"6."**.
20 Page 8, line 28, delete "6" and insert **"5"**.
21 Page 8, line 39, delete "more" and insert **"both"**.
22 Page 9, delete lines 1 through 2.
23 Page 9, delete lines 9 through 11, begin a new line double block
24 indented and insert:
- 25 **"(A) section 3(a)(1)(B)(iii) through 3(a)(1)(B)(v) of this**
26 **chapter; and**
27 **(B) section 3(a)(1)(C) of this chapter."**
- 28 Page 9, line 19, delete "8" and insert "7".
29 Page 9, line 22, delete "8." and insert "7."
30 Page 9, line 23, delete "6(a)(2)" and insert **"5(a)(2)"**.
31 Page 9, line 32, delete "9." and insert **"8."**.
32 Page 9, line 34, delete "8" and insert "7".
33 Page 9, line 36, delete "fifty million dollars (\$50,000,000)" and
34 insert **"one hundred fifty million dollars (\$150,000,000)"**.
35 Page 9, line 37, after "(b);" insert **"and"**.
36 Page 9, delete lines 38 through 42.
37 Page 10, line 1, delete "(3)" and insert **"(2)"**.
38 Page 10, line 4, delete "8" and insert "7".
39 Page 10, line 8, delete "8" and insert "7".

- 1 Page 10, delete lines 11 through 12, begin a new paragraph and
 2 insert:
- 3 **"(c) The commission shall deposit the total sum of fee revenue**
 4 **received under subsection (a) as follows:**
- 5 **(1) One hundred million dollars (\$100,000,000) in the state**
 6 **general fund.**
- 7 **(2) Fifty million dollars (\$50,000,000) in the shuttered**
 8 **riverboat fund established in IC 4-33-4-28."**
- 9 Page 10, delete lines 13 through 26.
- 10 Page 10, line 27, delete "Sec. 11." and insert "**Sec. 9.**".
- 11 Page 10, line 29, delete "4(a)" and insert "**3(a)**".
- 12 Page 10, line 31, delete "8" and insert "7".
- 13 Page 11, line 1, delete "4(a)(1)(C)" and insert "**3(a)(1)(C)**".
- 14 Page 11, line 4, delete "8" and insert "7".
- 15 Page 11, delete lines 9 through 42.
- 16 Page 12, delete lines 1 through 32.
- 17 Page 13, line 17, delete "Steuben County, or Wayne County" and
 18 insert "**or Steuben County**".
- 19 Page 14, line 32, delete "Steuben County, or Wayne County" and
 20 insert "**or Steuben County**".
- 21 Page 14, delete lines 37 through 42.
- 22 Page 15, delete lines 1 through 4, begin a new line block indented
 23 and insert:
- 24 **"(1) Ten percent (10%) to the regional development authority**
 25 **established under IC 36-7.6 for northeast Indiana."**
- 26 Page 16, line 29, delete "Steuben County, or Wayne County;" and
 27 insert "**or Steuben County;**".
- 28 Page 19, line 30, delete "Steuben County, or Wayne County." and
 29 insert "**or Steuben County.**".
- 30 Page 20, line 36, delete "Steuben County, or" and insert "**or**
 31 **Steuben County.**".
- 32 Page 20, line 37, delete "Wayne County.".
- 33 Page 21, line 26, delete "Steuben County, or" and insert "**or**
 34 **Steuben County.**".
- 35 Page 21, line 27, delete "Wayne County.".
- 36 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1038 as printed February 13, 2026.)