
HOUSE BILL No. 1038

AM103808 has been incorporated into introduced printing.

Synopsis: Riverboat gaming license.

M
e
r
g
e
d

2026

IN 1038—LS 6386/DI 125



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

Introduced

Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

HOUSE BILL No. 1038

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 4-31-2.1-15.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2026]: **Sec. 15.5. "Historic horse race" means**
4 **a horse race that was previously conducted at a recognized meeting**
5 **that concluded with official results without scratches,**
6 **disqualifications, or dead-heat finishes.**
7 SECTION 2. IC 4-31-2.1-15.6 IS ADDED TO THE INDIANA
8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2026]: **Sec. 15.6. "Historical horse racing**
10 **machine" means a pari-mutuel wagering system:**
11 **(1) that allows a patron to place a pari-mutuel wager on a**
12 **historic horse race through:**
13 **(A) an electronic device; or**
14 **(B) another technological device or terminal;**
15 **(2) that is approved by the commission; and**

2026

IN 1038—LS 6386/DI 125



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M
e
r
g
e
d

(3) in which wagers are pooled in a pari-mutuel wagering pool.

SECTION 3. IC 4-31-2.1-25, AS ADDED BY P.L.105-2022, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 25. "Pari-mutuel wagering" means a system of wagering, **including wagering on historic horse racing machines**, in which those persons who wager on horses that finish in specified positions share the total amount wagered, minus deductions permitted 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



M
e
r
g
e
d

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.

SECTION 7. IC 4-33-2-17, AS AMENDED BY P.L.293-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 17. "Riverboat" means any of the following on which lawful gambling is authorized under this article:

- (1) A self-propelled excursion boat that complies with IC 4-33-6-6(a) and is located in a county that is contiguous to Lake Michigan or the Ohio River.
- (2) A casino located in a historic hotel district.
- (3) A permanently moored craft operating from a county described in subdivision (1).
- (4) An inland casino operating under IC 4-33-6-24.



M
e
r
g
e
d

(5) A casino operated in Gary under IC 4-33-6-4.5.

(6) A casino operated in Vigo County under IC 4-33-6.7.

(7) A casino operated in Allen County under IC 4-33-6.8.

SECTION 8. IC 4-33-6-1, AS AMENDED BY P.L.293-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The commission may issue to a person a license to own a riverboat subject to the numerical and geographical limitation of owner's licenses under this section and IC 4-33-4-17. Not more than ~~ten (10)~~ **eleven (11)** owner's licenses may be in effect at any time. Subject to subsection (d), those owner's licenses may be issued as follows:

(1) Not more than two (2) licenses for not more than two (2) riverboats that operate in or from the city of Gary.

(2) One (1) license for a riverboat that operates from the city of Hammond.

(3) One (1) license for a riverboat that operates from the city of East Chicago.

(4) One (1) license for a city located in a county contiguous to Lake Michigan. However, this license may not be issued to a city described in subdivisions (1) through (3).

(5) A total of five (5) licenses for riverboats that operate upon the Ohio River from the following counties:

(A) Vanderburgh County.

(B) Harrison County.

(C) Switzerland County.

(D) Ohio County.

(E) Dearborn County.

The commission may not issue a license to an applicant if the issuance of the license would result in more than one (1) riverboat operating from a county described in this subdivision.

(6) Not more than one (1) license for a riverboat that operates as an inland casino in Vigo County under IC 4-33-6.7.

(7) Not more than one (1) license for a riverboat that operates as an inland casino in Allen County under IC 4-33-6.8.

(b) In addition to its power to issue owner's licenses under subsection (a), the commission may also enter into a contract under IC 4-33-6.5 with respect to the operation of one (1) riverboat on behalf of the commission in a historic hotel district.

(c) A person holding an owner's license may not move the person's riverboat from the county in which the riverboat was docked on January 1, 2007, to any other county.



(d) The following apply to the allocation and issuance of owner's licenses under subsection (a):

(1) A licensed owner holding two licenses issued under subsection (a)(1) must relinquish one (1) of the licenses under section 4.5 of this chapter upon the commission's approval of the licensed owner's request to relocate gaming operations under section 4.5 of this chapter.

(2) An owner's license relinquished under subdivision (1) and section 4.5 of this chapter may not be reissued with respect to gaming operations in Gary.

(3) The licensed owner who relinquishes a license under subdivision (1) and section 4.5 of this chapter may operate two (2) docked riverboats under a single license unless and until the licensed owner begins gaming operations at a relocated inland casino under section 4.5 of this chapter.

(4) If an owner's license is relinquished under subdivision (1) and section 4.5 of this chapter, an owner's license may be issued to authorize gaming operations in Vigo County in accordance with subsection (a)(6) and the procedures set forth in IC 4-33-6.7.

SECTION 9. IC 4-33-6-4.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 4.8. (a) This section applies to the licensed owner of an inland casino operated in Allen County under IC 4-33-6.8.**

(b) A licensed owner described in subsection (a) shall enter into a development agreement (as defined in IC 4-33-23-2) with Allen County.

SECTION 10. IC 4-33-6-24, AS AMENDED BY P.L.293-2019, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 24. (a) This section does not apply to:**

(1) gaming operations relocated under section 4.5 of this chapter; or

(2) an inland casino operated in:

(A) Vigo County under IC 4-33-6.7; or

(B) Allen County under IC 4-33-6.8.

(b) For purposes of this section, property is considered to be adjacent to a riverboat dock site even if it is separated from the dock site by public rights-of-way or railroad rights-of-way.

(c) A licensed owner may relocate the licensed owner's gaming operation from a docked riverboat to an inland casino if the following conditions are met:

M
e
r
g
e
d



(1) Except as provided in subsection (d), the casino is located on property that the licensed owner owned or leased and used in the conduct of the licensed owner's gaming operations on February 1, 2015.

(2) The casino is located on property adjacent to the dock site of the licensed owner's riverboat.

(3) The casino complies with all applicable building codes and any safety requirements imposed by the commission.

(4) The commission approves the relocation of the licensed owner's gaming operation.

(d) This subsection applies to a licensed owner that owns or leases property that is considered adjacent to a riverboat dock site under subsection (b). The licensed owner may:

(1) acquire part of the public rights-of-way or railroad rights-of-way to form a contiguous parcel with the property owned or leased by the licensed owner on February 1, 2015; and

(2) subject to the other requirements of this section, situate an inland casino on the contiguous parcel formed under subdivision

(1).

(e) The commission may impose any requirement upon a licensed owner relocating gaming operations under this section.

(f) The number of gambling games offered by a licensed owner in an inland facility operated under this section may not exceed the greatest number of gambling games offered by the licensed owner in the licensed owner's docked riverboat since January 1, 2007.

SECTION 11. IC 4-33-6-25, AS AMENDED BY P.L.293-2019, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 25. (a) This section does not apply to a riverboat gaming operation relocated under section 24 of this chapter.

(b) Except as provided in subsections (c) and (d), the number of gambling games offered by a licensed owner or operating agent within the riverboat operated by the licensed owner or operating agent may not exceed the greatest number of gambling games offered by the licensed owner or operating agent since January 1, 2007.

(c) The number of gambling games offered by a licensed owner operating under a license described in section 1(a)(1) of this chapter may not exceed two thousand seven hundred sixty-four (2,764).

(d) The number of gambling games offered by a licensed owner of an inland casino operated in Vigo County under IC 4-33-6.7 may not exceed one thousand five hundred (1,500).

(e) The number of gambling games offered by a licensed owner

M
e
r
g
e
d



of an inland casino operated in Allen County under IC 4-33-6.8 may not exceed one thousand five hundred (1,500).

SECTION 12. IC 4-33-6.8 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 6.8. Allen County Casino Operations

Sec. 1. As used in this chapter, "legislative body" has the meaning set forth in IC 36-1-2-9.

Sec. 2. (a) This section applies only to Allen County.

(b) The legislative body of the county may, at a public meeting for which public notice has been provided, adopt a resolution in support of allowing gaming operations to be conducted at an inland casino in Allen County.

(c) If the legislative body of the county adopts a resolution described in subsection (b), a person wishing to apply for an owner's license to conduct gaming operations at a location in Allen County shall, if the applicant's proposed inland casino would be located within a city or town in Allen County, submit to the legislative body of the city or town a request for a resolution in support of allowing gaming operations to be conducted at an inland casino in the city or town. The legislative body of the city or town may, at a public meeting for which public notice has been provided, adopt a resolution in support of allowing gaming operations to be conducted at an inland casino in the city or town.

(d) If the legislative body of the county, city, or town adopts a resolution under this section, the applicable legislative body shall provide a certified copy of the resolution to the commission.

Sec. 3. If the legislative body of the county adopts a resolution in support of inland casino gaming in Allen County under section 2 of this chapter, the commission shall begin accepting applications and proposals for awarding a license to operate an inland casino in Allen County. The commission shall publish deadlines for submitting an application and proposal under this chapter on its website. An application and proposal must comply with the provisions of IC 4-33-6-2 and include any additional information required by the commission. The commission shall prescribe the form of the application and proposal for permission to operate an inland casino under this chapter.

Sec. 4. The commission shall review applications and proposals submitted under section 3 of this chapter and determine the suitability of each applicant. In determining suitability, the commission shall consider each applicant's financial integrity and



M
e
r
g
e
d

the applicant's ability to operate an inland casino. The commission shall also consider the factors in IC 4-33-6-4. The commission may not determine an applicant is suitable if the commission finds that any of the provisions of IC 4-33-6-3 apply.

Sec. 5. (a) An application and proposal must include the following information:

- (1) The name of the applicant.
- (2) The street address of the applicant's proposed casino.
- (3) A copy of the:
 - (A) resolution described in section 2(b) of this chapter; and
 - (B) if applicable, the resolution described in section 2(c) of this chapter.
- (4) A description of the proposed gaming facilities and proposed nongaming amenities, including any lodging facilities, dining facilities, and retail facilities, at the proposed casino.
- (5) The amounts the applicant will invest in the gaming facilities and nongaming facilities at the proposed casino.
- (6) A proposed local development agreement with the county.
- (7) Evidence that the applicant's proposed casino will do the following:
 - (A) Enhance the credibility and integrity of gaming in Indiana.
 - (B) Promote employment and economic development in the area surrounding the proposed casino.
 - (C) Optimize the collection of tax revenue under this article.
- (8) The applicant's plan for complying with IC 4-33-14 in the construction and conduct of the applicant's proposed gaming operations in Allen County.
- (9) The fee amount proposed by the applicant to be paid for the issuance of the owner's license. The proposed fee amount must be in an amount of at least fifty million dollars (\$50,000,000).
- (b) A description of an applicant's proposed facilities submitted under subsection (a)(4) is a public document. IC 4-33-5 applies to an applicant's application for the license and other information submitted by the applicant.

Sec. 6. In determining the applicant best suited for an owner's license, the commission shall consider:

- (1) economic benefits;



M
e
r
g
e
d

- (2) tax revenue;
- (3) the number of new jobs;
- (4) whether the applicant plans an investment of at least five hundred million dollars (\$500,000,000);
- (5) whether the applicant has a resolution of support from the legislative body of the unit in Allen County where it seeks to locate;
- (6) the financial stability of the applicant;
- (7) the applicant's history of community involvement; and
- (8) any other factor that the commission considers appropriate.

Sec. 7. The commission:

- (1) may issue an owner's license to the person that the commission determines is best suited to hold the license and conduct gaming operations in Allen County;
- (2) shall require a person issued an owner's license under subdivision (1) to promptly deliver to the commission the fee in the amount proposed in the applicant's application and proposal under section 5(a)(9) of this chapter; and
- (3) may impose other requirements that the commission deems necessary and appropriate to protect the interests of the state and the person issued an owner's license under subdivision (1).

Sec. 8. The commission shall deposit the fee received under section 7 of this chapter in the state general fund.

SECTION 13. IC 4-33-12-1.5, AS AMENDED BY P.L.293-2019, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1.5. (a) A supplemental wagering tax on the wagering occurring each day at a riverboat is imposed upon the licensed owner operating the riverboat.

(b) Except as provided in ~~subsection (d)~~, **subsections (d) and (e)**, and subject to subsection (c), the amount of supplemental wagering tax imposed for a particular day is determined by multiplying the riverboat's adjusted gross receipts for that day by the quotient of:

(1) the total riverboat admissions tax that the riverboat's licensed owner paid beginning July 1, 2016, and ending June 30, 2017; divided by

(2) the riverboat's adjusted gross receipts beginning July 1, 2016, and ending June 30, 2017.

(c) The quotient used under subsection (b) to determine the supplemental wagering tax liability of a licensed owner subject to subsection (b) may not exceed the following when expressed as a



percentage:

(1) Four percent (4%) before July 1, 2019.

(2) Three and five-tenths percent (3.5%) after June 30, 2019.

(d) The supplemental wagering tax liability of a licensed owner operating an inland casino in Vigo County is equal to two and nine-tenths percent (2.9%) of the riverboat's adjusted gross receipts for the day.

(e) The supplemental wagering tax liability of a licensed owner operating an inland casino in Allen County is equal to three and five-tenths percent (3.5%) of the riverboat's adjusted gross receipts for the day.

SECTION 14. IC 4-33-12-6, AS AMENDED BY P.L.104-2022, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) The department shall place in the state general fund the tax revenue collected under this chapter.

(b) Except as provided by sections 8, ~~and 8.5, and 8.7~~ of this chapter, the treasurer of state shall quarterly pay the following amounts:

(1) Except as provided in section 9(k) of this chapter, thirty-three and one-third percent (33 1/3%) of the admissions tax and supplemental wagering tax collected by the licensed owner during the quarter shall be paid to:

(A) the city in which the riverboat is located, if the city:

(i) is located in a county having a population of more than one hundred twelve thousand (112,000) and less than one hundred twenty thousand (120,000); or

(ii) is contiguous to the Ohio River and is the largest city in the county; and

(B) the county in which the riverboat is located, if the riverboat is not located in a city described in clause (A).

(2) Except as provided in section 9(k) of this chapter, thirty-three and one-third percent (33 1/3%) of the admissions tax and supplemental wagering tax collected by the licensed owner during the quarter shall be paid to the county in which the riverboat is located. In the case of a county described in subdivision (1)(B), this thirty-three and one-third percent (33 1/3%) of the admissions tax and supplemental wagering tax is in addition to the thirty-three and one-third percent (33 1/3%) received under subdivision (1)(B).

(3) Except as provided in section 9(k) of this chapter, three and thirty-three hundredths percent (3.33%) of the admissions tax and supplemental wagering tax collected by the licensed owner



1 during the quarter shall be paid to the county convention and
 2 visitors bureau or promotion fund for the county in which the
 3 riverboat is located.

4 (4) Except as provided in section 9(k) of this chapter, five
 5 percent (5%) of the admissions tax and supplemental wagering
 6 tax collected by the licensed owner during a quarter shall be paid
 7 to the state fair commission, for use in any activity that the
 8 commission is authorized to carry out under IC 15-13-3.

9 (5) Except as provided in section 9(k) of this chapter, three and
 10 thirty-three hundredths percent (3.33%) of the admissions tax
 11 and supplemental wagering tax collected by the licensed owner
 12 during the quarter shall be paid to the division of mental health
 13 and addiction. The division shall allocate at least twenty-five
 14 percent (25%) of the funds derived from the admissions tax to
 15 the prevention and treatment of compulsive gambling.

16 (6) Twenty-one and six hundred sixty-seven thousandths percent
 17 (21.667%) of the admissions tax and supplemental wagering tax
 18 collected by the licensed owner during the quarter shall be paid
 19 to the state general fund.

20 SECTION 15. IC 4-33-12-8.7 IS ADDED TO THE INDIANA
 21 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2026]: **Sec. 8.7. (a) This section applies only**
 23 **to tax revenue collected from an inland casino located in Allen**
 24 **County.**

25 (b) The treasurer of state shall pay the following amounts from
 26 taxes collected during the preceding calendar quarter from the
 27 inland casino located in Allen County:

28 (1) Fifty percent (50%) to the city in which the casino
 29 conducts gaming operations.

30 (2) Fifty percent (50%) to Allen County.

31 (c) This subsection applies to a city or county receiving money
 32 under subsection (b). Money paid to a city or county under
 33 subsection (b):

34 (1) must be paid to the fiscal officer of the unit and may be
 35 deposited in the unit's general fund or a riverboat fund
 36 established by the city or county under IC 36-1-8-9, or both;

37 (2) may not be used to reduce the unit's maximum levy under
 38 IC 6-1.1-18.5 but may be used at the discretion of the unit to
 39 reduce the property tax levy of the unit for a particular year;

40 (3) may be used for any legal or corporate purpose of the
 41 unit, including the pledge of money to bonds, leases, or other
 42 obligations under IC 5-1-14-4; and



(4) is considered miscellaneous revenue.

SECTION 16. IC 4-33-13-5, AS AMENDED BY P.L.9-2024, SECTION 109, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) This subsection does not apply to tax revenue remitted by an operating agent operating a riverboat in a historic hotel district. Excluding funds that are appropriated in the biennial budget act from the state gaming fund to the commission for purposes of administering this article, each month the state comptroller shall distribute the tax revenue deposited in the state gaming fund under this chapter to the following:

(1) An amount equal to the following shall be set aside for revenue sharing under subsection (d):

(A) Before July 1, 2021, the first thirty-three million dollars (\$33,000,000) of tax revenues collected under this chapter shall be set aside for revenue sharing under subsection (d).

(B) After June 30, 2021, if the total adjusted gross receipts received by licensees from gambling games authorized under this article during the preceding state fiscal year is equal to or greater than the total adjusted gross receipts received by licensees from gambling games authorized under this article during the state fiscal year ending June 30, 2020, the first thirty-three million dollars (\$33,000,000) of tax revenues collected under this chapter shall be set aside for revenue sharing under subsection (d).

(C) After June 30, 2021, if the total adjusted gross receipts received by licensees from gambling games authorized under this article during the preceding state fiscal year is less than the total adjusted gross receipts received by licensees from gambling games authorized under this article during the state year ending June 30, 2020, an amount equal to the first thirty-three million dollars (\$33,000,000) of tax revenues collected under this chapter multiplied by the result of:

(i) the total adjusted gross receipts received by licensees from gambling games authorized under this article during the preceding state fiscal year; divided by

(ii) the total adjusted gross receipts received by licensees from gambling games authorized under this article during the state fiscal year ending June 30, 2020;

M
e
r
g
e
d



shall be set aside for revenue sharing under subsection (d).
 (2) Subject to subsection (c), twenty-five percent (25%) of the remaining tax revenue remitted by each licensed owner shall be paid:

(A) to the city in which the riverboat is located or that is designated as the home dock of the riverboat from which the tax revenue was collected, in the case of:

- (i) a city described in IC 4-33-12-6(b)(1)(A);
- (ii) a city located in Lake County **or Allen County**; or
- (iii) Terre Haute; or

(B) to the county that is designated as the home dock of the riverboat from which the tax revenue was collected, in the case of a riverboat that is not located in a city described in clause (A) or whose home dock is not in a city described in clause (A).

(3) The remainder of the tax revenue remitted by each licensed owner shall be paid to the state general fund. In each state fiscal year, the state comptroller shall make the transfer required by this subdivision on or before the fifteenth day of the month based on revenue received during the preceding month for deposit in the state gaming fund. Specifically, the state comptroller may transfer the tax revenue received by the state in a month to the state general fund in the immediately following month according to this subdivision.

(b) This subsection applies only to tax revenue remitted by an operating agent operating a riverboat in a historic hotel district after June 30, 2019. Excluding funds that are appropriated in the biennial budget act from the state gaming fund to the commission for purposes of administering this article, each month the state comptroller shall distribute the tax revenue remitted by the operating agent under this chapter as follows:

(1) For state fiscal years beginning after June 30, 2019, but ending before July 1, 2021, fifty-six and five-tenths percent (56.5%) shall be paid to the state general fund.

(2) For state fiscal years beginning after June 30, 2021, fifty-six and five-tenths percent (56.5%) shall be paid as follows:

(A) Sixty-six and four-tenths percent (66.4%) shall be paid to the state general fund.

(B) Thirty-three and six-tenths percent (33.6%) shall be paid to the West Baden Springs historic hotel preservation and maintenance fund established by IC 36-7-11.5-11(b).

M
e
r
g
e
d



However, if:

(i) at any time the balance in that fund exceeds twenty-five million dollars (\$25,000,000); or

(ii) in any part of a state fiscal year in which the operating agent has received at least one hundred million dollars (\$100,000,000) of adjusted gross receipts;

the amount described in this clause shall be paid to the state general fund for the remainder of the state fiscal year.

(3) Forty-three and five-tenths percent (43.5%) shall be paid as follows:

(A) Twenty-two and four-tenths percent (22.4%) shall be paid as follows:

(i) Fifty percent (50%) to the fiscal officer of the town of French Lick.

(ii) Fifty percent (50%) to the fiscal officer of the town of West Baden Springs.

(B) Fourteen and eight-tenths percent (14.8%) shall be paid to the county treasurer of Orange County for distribution among the school corporations in the county. The governing bodies for the school corporations in the county shall provide a formula for the distribution of the money received under this clause among the school corporations by joint resolution adopted by the governing body of each of the school corporations in the county. Money received by a school corporation under this clause must be used to improve the educational attainment of students enrolled in the school corporation receiving the money. Not later than the first regular meeting in the school year of a governing body of a school corporation receiving a distribution under this clause, the superintendent of the school corporation shall submit to the governing body a report describing the purposes for which the receipts under this clause were used and the improvements in educational attainment realized through the use of the money. The report is a public record.

(C) Thirteen and one-tenth percent (13.1%) shall be paid to the county treasurer of Orange County.

(D) Five and three-tenths percent (5.3%) shall be distributed quarterly to the county treasurer of Dubois County for appropriation by the county fiscal body after receiving a recommendation from the county executive. The

M
e
r
g
e
d



1 county fiscal body for the receiving county shall provide for
 2 the distribution of the money received under this clause to
 3 one (1) or more taxing units (as defined in IC 6-1.1-1-21) in
 4 the county under a formula established by the county fiscal
 5 body after receiving a recommendation from the county
 6 executive.

7 (E) Five and three-tenths percent (5.3%) shall be distributed
 8 quarterly to the county treasurer of Crawford County for
 9 appropriation by the county fiscal body after receiving a
 10 recommendation from the county executive. The county
 11 fiscal body for the receiving county shall provide for the
 12 distribution of the money received under this clause to one
 13 (1) or more taxing units (as defined in IC 6-1.1-1-21) in
 14 the county under a formula established by the county fiscal
 15 body after receiving a recommendation from the county
 16 executive.

17 (F) Six and thirty-five hundredths percent (6.35%) shall be
 18 paid to the fiscal officer of the town of Paoli.

19 (G) Six and thirty-five hundredths percent (6.35%) shall be
 20 paid to the fiscal officer of the town of Orleans.

21 (H) Twenty-six and four-tenths percent (26.4%) shall be
 22 paid to the Indiana economic development corporation
 23 established by IC 5-28-3-1 for transfer as follows:

24 (i) Beginning after December 31, 2017, ten percent
 25 (10%) of the amount transferred under this clause in
 26 each calendar year shall be transferred to the South
 27 Central Indiana Regional Economic Development
 28 Corporation or a successor entity or partnership for
 29 economic development for the purpose of recruiting
 30 new business to Orange County as well as promoting
 31 the retention and expansion of existing businesses in
 32 Orange County.

33 (ii) The remainder of the amount transferred under this
 34 clause in each calendar year shall be transferred to
 35 Radius Indiana or a successor regional entity or
 36 partnership for the development and implementation of
 37 a regional economic development strategy to assist the
 38 residents of Orange County and the counties
 39 contiguous to Orange County in improving their
 40 quality of life and to help promote successful and
 41 sustainable communities.

M
e
r
g
e
d



To the extent possible, the Indiana economic development corporation shall provide for the transfer under item (i) to be made in four (4) equal installments. However, an amount sufficient to meet current obligations to retire or refinance indebtedness or leases for which tax revenues under this section were pledged before January 1, 2015, by the Orange County development commission shall be paid to the Orange County development commission before making distributions to the South Central Indiana Regional Economic Development Corporation and Radius Indiana or their successor entities or partnerships. The amount paid to the Orange County development commission shall proportionally reduce the amount payable to the South Central Indiana Regional Economic Development Corporation and Radius Indiana or their successor entities or partnerships.

(c) This subsection does not apply to tax revenue remitted by an inland casino operating in Vigo County **or Allen County**. For each city and county receiving money under subsection (a)(2), the state comptroller shall determine the total amount of money paid by the state comptroller to the city or county during the state fiscal year 2002. The amount determined is the base year revenue for the city or county. The state comptroller shall certify the base year revenue determined under this subsection to the city or county. The total amount of money distributed to a city or county under this section during a state fiscal year may not exceed the entity's base year revenue. For each state fiscal year, the state comptroller shall pay that part of the riverboat wagering taxes that:

- (1) exceeds a particular city's or county's base year revenue; and
- (2) would otherwise be due to the city or county under this section;

to the state general fund instead of to the city or county.

(d) Except as provided in subsections (k) and (l), before August 15 of each year, the state comptroller shall distribute the wagering taxes set aside for revenue sharing under subsection (a)(1) to the county treasurer of each county that does not have a riverboat according to the ratio that the county's population bears to the total population of the counties that do not have a riverboat. Except as provided in subsection (g), the county auditor shall distribute the money received by the county under this subsection as follows:

- (1) To each city located in the county according to the ratio the



M
e
r
g
e
d

city's population bears to the total population of the county.

(2) To each town located in the county according to the ratio the town's population bears to the total population of the county.

(3) After the distributions required in subdivisions (1) and (2) are made, the remainder shall be retained by the county.

(e) Money received by a city, town, or county under subsection (d) or (g) may be used for any of the following purposes:

(1) To reduce the property tax levy of the city, town, or county for a particular year (a property tax reduction under this subdivision does not reduce the maximum levy of the city, town, or county under IC 6-1.1-18.5).

(2) For deposit in a special fund or allocation fund created under IC 8-22-3.5, IC 36-7-14, IC 36-7-14.5, IC 36-7-15.1, and IC 36-7-30 to provide funding for debt repayment.

(3) To fund sewer and water projects, including storm water management projects.

(4) For police and fire pensions.

(5) To carry out any governmental purpose for which the money is appropriated by the fiscal body of the city, town, or county.

Money used under this subdivision does not reduce the property tax levy of the city, town, or county for a particular year or reduce the maximum levy of the city, town, or county under IC 6-1.1-18.5.

(f) This subsection does not apply to an inland casino operating in Vigo County **or Allen County**. Before July 15 of each year, the state comptroller shall determine the total amount of money distributed to an entity under IC 4-33-12-6 or IC 4-33-12-8 during the preceding state fiscal year. If the state comptroller determines that the total amount of money distributed to an entity under IC 4-33-12-6 or IC 4-33-12-8 during the preceding state fiscal year was less than the entity's base year revenue (as determined under IC 4-33-12-9), the state comptroller shall make a supplemental distribution to the entity from taxes collected under this chapter and deposited into the state general fund. Except as provided in subsection (h), the amount of an entity's supplemental distribution is equal to:

(1) the entity's base year revenue (as determined under IC 4-33-12-9); minus

(2) the sum of:

(A) the total amount of money distributed to the entity and constructively received by the entity during the preceding state fiscal year under IC 4-33-12-6 or IC 4-33-12-8; plus

M
e
r
g
e
d



(B) the amount of any admissions taxes deducted under
IC 6-3.1-20-7.

(g) This subsection applies only to Marion County. The county
auditor shall distribute the money received by the county under
subsection (d) as follows:

(1) To each city, other than the consolidated city, located in the
county according to the ratio that the city's population bears to
the total population of the county.

(2) To each town located in the county according to the ratio that
the town's population bears to the total population of the county.

(3) After the distributions required in subdivisions (1) and (2)
are made, the remainder shall be paid in equal amounts to the
consolidated city and the county.

(h) This subsection does not apply to an inland casino operating
in Vigo County **or Allen County**. This subsection applies to a
supplemental distribution made after June 30, 2017. The maximum
amount of money that may be distributed under subsection (f) in a state
fiscal year is equal to the following:

(1) Before July 1, 2021, forty-eight million dollars
(\$48,000,000).

(2) After June 30, 2021, if the total adjusted gross receipts
received by licensees from gambling games authorized under
this article during the preceding state fiscal year is equal to or
greater than the total adjusted gross receipts received by
licensees from gambling games authorized under this article
during the state fiscal year ending June 30, 2020, the maximum
amount is forty-eight million dollars (\$48,000,000).

(3) After June 30, 2021, if the total adjusted gross receipts
received by licensees from gambling games authorized under
this article during the preceding state fiscal year is less than the
total adjusted gross receipts received by licensees from gambling
games authorized under this article during the state fiscal year
ending June 30, 2020, the maximum amount is equal to the
result of:

(A) forty-eight million dollars (\$48,000,000); multiplied by

(B) the result of:

(i) the total adjusted gross receipts received by
licensees from gambling games authorized under this
article during the preceding state fiscal year; divided by

(ii) the total adjusted gross receipts received by

M
e
r
g
e
d



licensees from gambling games authorized under this article during the state fiscal year ending June 30, 2020.

If the total amount determined under subsection (f) exceeds the maximum amount determined under this subsection, the amount distributed to an entity under subsection (f) must be reduced according to the ratio that the amount distributed to the entity under IC 4-33-12-6 or IC 4-33-12-8 bears to the total amount distributed under IC 4-33-12-6 and IC 4-33-12-8 to all entities receiving a supplemental distribution.

(i) This subsection applies to a supplemental distribution, if any, payable to Lake County, Hammond, Gary, or East Chicago under subsections (f) and (h). Beginning in July 2016, the state comptroller shall, after making any deductions from the supplemental distribution required by IC 6-3.1-20-7, deduct from the remainder of the supplemental distribution otherwise payable to the unit under this section the lesser of:

- (1) the remaining amount of the supplemental distribution; or
- (2) the difference, if any, between:
 - (A) three million five hundred thousand dollars (\$3,500,000); minus
 - (B) the amount of admissions taxes constructively received by the unit in the previous state fiscal year.

The state comptroller shall distribute the amounts deducted under this subsection to the northwest Indiana redevelopment authority established under IC 36-7.5-2-1 for deposit in the development authority revenue fund established under IC 36-7.5-4-1.

(j) Money distributed to a political subdivision under subsection

(b):

- (1) must be paid to the fiscal officer of the political subdivision and may be deposited in the political subdivision's general fund (in the case of a school corporation, the school corporation may deposit the money into either the education fund (IC 20-40-2) or the operations fund (IC 20-40-18)) or riverboat fund established under IC 36-1-8-9, or both;
- (2) may not be used to reduce the maximum levy under IC 6-1.1-18.5 of a county, city, or town or the maximum tax rate of a school corporation, but, except as provided in subsection (b)(3)(B), may be used at the discretion of the political subdivision to reduce the property tax levy of the county, city, or town for a particular year;



M
e
r
g
e
d

(3) except as provided in subsection (b)(3)(B), may be used for any legal or corporate purpose of the political subdivision, including the pledge of money to bonds, leases, or other obligations under IC 5-1-14-4; and

(4) is considered miscellaneous revenue.

Money distributed under subsection (b)(3)(B) must be used for the purposes specified in subsection (b)(3)(B).

(k) After June 30, 2020, the amount of wagering taxes that would otherwise be distributed to South Bend under subsection (d) shall be deposited as being received from all riverboats whose supplemental wagering tax, as calculated under IC 4-33-12-1.5(b), is over three and five-tenths percent (3.5%). The amount deposited under this subsection, in each riverboat's account, is proportionate to the supplemental wagering tax received from that riverboat under IC 4-33-12-1.5 in the month of July. The amount deposited under this subsection must be distributed in the same manner as the supplemental wagering tax collected under IC 4-33-12-1.5. This subsection expires June 30, 2021.

(l) After June 30, 2021, the amount of wagering taxes that would otherwise be distributed to South Bend under subsection (d) shall be withheld and deposited in the state general fund.

M
e
r
g
e
d

