
HOUSE BILL No. 1038

AM103809 has been incorporated into introduced printing.

Synopsis: Riverboat gaming license.

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2026

IN 1038—LS 6386/DI 125



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

5 (1) A self-propelled excursion boat that complies with
6 IC 4-33-6-6(a) and is located in a county that is contiguous to
7 Lake Michigan or the Ohio River.
8 (2) A casino located in a historic hotel district.
9 (3) A permanently moored craft operating from a county
10 described in subdivision (1).
11 (4) An inland casino operating under IC 4-33-6-24.
12 (5) A casino operated in Gary under IC 4-33-6-4.5.
13 (6) A casino operated in Vigo County under IC 4-33-6.7.
14 (7) **A casino operated in Allen County, DeKalb County,
15 Steuben County, or Wayne County under IC 4-33-6.8.**

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1 SECTION 2. IC 4-33-6-1, AS AMENDED BY P.L.293-2019,
 2 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 UPON PASSAGE]: Sec. 1. (a) The commission may issue to a person
 4 a license to own a riverboat subject to the numerical and geographical
 5 limitation of owner's licenses under this section and IC 4-33-4-17. Not
 6 more than ten (10) owner's licenses may be in effect at any time.
 7 Subject to subsection (d), those owner's licenses may be issued as
 8 follows:

9 (1) Not more than two (2) licenses for not more than two (2)
 10 riverboats that operate in or from the city of Gary.
 11 (2) One (1) license for a riverboat that operates from the city of
 12 Hammond.
 13 (3) One (1) license for a riverboat that operates from the city of
 14 East Chicago.
 15 (4) One (1) license for a city located in a county contiguous to
 16 Lake Michigan. However, this license may not be issued to a city
 17 described in subdivisions (1) through (3).
 18 (5) **Not more than** a total of five (5) licenses for riverboats that
 19 operate upon the Ohio River from the following counties:
 20 (A) Vanderburgh County.
 21 (B) Harrison County.
 22 (C) Switzerland County.
 23 (D) Ohio County.
 24 (E) Dearborn County.

25 The commission may not issue a license to an applicant if the
 26 issuance of the license would result in more than one (1)
 27 riverboat operating from a county described in this subdivision.
 28 (6) Not more than one (1) license for a riverboat that operates as
 29 an inland casino in Vigo County under IC 4-33-6.7.

30 (7) **Not more than one (1) license for a riverboat that**
 31 **operates as an inland casino in Allen County, DeKalb**
 32 **County, Steuben County, or Wayne County under**
 33 **IC 4-33-6.8.**

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

38 (c) **Except as provided in IC 4-33-6.8,** a person holding an
 39 owner's license may not move the person's riverboat from the county in
 40 which the riverboat was docked on January 1, 2007, to any other
 41 county.



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

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

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

27 SECTION 3. IC 4-33-6-4.8 IS ADDED TO THE INDIANA CODE
28 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
29 UPON PASSAGE]: **Sec. 4.8. (a) This section applies to the licensed**
30 **owner of an inland casino operated in Allen County, DeKalb**
31 **County, Steuben County, or Wayne County under IC 4-33-6-8.**

35 SECTION 4. IC 4-33-6-24, AS AMENDED BY P.L.293-2019,
36 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 UPON PASSAGE]: Sec. 24. (a) This section does not apply to:

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

40 (2) an inland casino operated in:

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

42 (B) Allen County, DeKalb County, Steuben County, or



Wayne 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:

(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 5. IC 4-33-6-25, AS AMENDED BY P.L.293-2019, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: 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 jurisdiction of the licensee.

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

SECTION 6. IC 4-33-6.8 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 6.8. Relocation of Casino Operations

Sec. 1. For purposes of this chapter, "Ohio County license" means an owner's license for a riverboat operated from Ohio County.

Sec. 2. For purposes of this chapter, "permit holder" has the meaning set forth in IC 4-31-2.1-27.

Sec. 3. The commission may authorize in the manner required by this chapter the relocation of the Ohio County license to an inland casino in Allen County, DeKalb County, Steuben County, or Wayne County.

Sec. 4. (a) A licensed owner or permit holder may apply to own and operate the Ohio County license by submitting the following to the commission not later than December 1, 2026:

(1) A written application that contains the following information:

(A) The county in which the applicant is proposing to operate an inland casino. For purposes of this clause, the application must select Allen County, DeKalb County, Steuben County, or Wayne County.

(B) Documented and verifiable information describing the following:

(i) The proposed site of the inland casino.

(ii) Evidence of site control or real estate options.

(iii) Conceptual plans for casino and nongaming facilities.

(iv) Estimated construction and total development costs

(v) A phased investment and construction timeline.

(vi) Market and feasibility information.



(vii) The financial capacity of the applicant.

(C) The applicant's commitment and plan to invest at least five hundred million dollars (\$500,000,000) for the development of a casino and nongaming amenities onsite in the county selected under clause (A) in the following manner:

(i) At least sixty percent (60%) of the amount invested in the initial phase of development.

(ii) The remaining amount invested, and the relocation and development of the casino and nongaming amenities completed, not later than five (5) years after gaming operations begin at the relocated casino under this chapter.

(D) Any other information requested by the commission.

(2) The local government support documents required under section 5(a) of this chapter.

(b) An application submitted under subsection (a) may include financial commitments to the horse racing industry.

(c) The commission must begin accepting applications under subsection (a) not later than October 1, 2026.

(d) For purposes of subsection (a), the commission may not accept:

(1) an application from a person that is not a licensed owner or permit holder;

(2) subject to section 7 of this chapter, more than one (1) application from a licensed owner or permit holder;

- (3) an application that proposes to operate an inland casino in a county other than Allen County, DeKalb County, Steuben County, or Wayne County; or
- (4) an application that does not include the information and documents required under subsection (a).

Sec. 5. (a) An applicant must submit the following with an application under section 4 of this chapter:

(1) A copy of a resolution adopted by a majority of the board of county commissioners of the county selected by the applicant under section 4(a)(1)(A) of this chapter that supports:

(A) the applicant's proposed relocation; or

(B) the relocation of the Ohio County license to an inland casino in the county without identifying a specific applicant.

(2) If the proposed casino will be located within a



municipality, a letter of support for the proposed relocation signed by the mayor of the municipality.

(b) Except as provided in section 7 of this chapter, a unit (as defined in IC 36-1-2-23) may:

(1) privately negotiate with an applicant before an application is submitted; and

(2) support or decline to support specific applicants in a letter or resolution under subsection (a).

Sec. 6. (a) Following the submission of applications under section 4 of this chapter, the commission shall review the filed applications in the manner required by subsections (c) and (d). Not later than January 15, 2027, the commission shall:

- (1) make the filed applications available to the public; and
- (2) prepare an informational summary of the filed applications and make the summary available to the public.

The commission may redact information that it determines to be confidential in the applications or informational summary made available to the public.

(b) The commission may hire independent consultants or experts to assist with evaluating applications.

(c) The commission must decide whether to approve or deny an application submitted under section 4 of this chapter based on documented and verifiable information, including the following:

(1) The net economic benefit to the state.

(2) Increased state and local tax revenue.

(3) The number and quality of jobs created.

(4) The amount of capital investment planned by the applicant under section 4(a)(1)(C) of this chapter.

(5) The quality and durability of proposed facilities.

(6) The financial stability of the applicant.

(7) Site feasibility and infrastructure readiness.

(8) Market sustainability.

(9) The impact on other Indiana casinos and the horse racing industry.

(10) Regulatory compliance history.

(11) The total public value of a supplemental bid under section 7 of this chapter, if applicable.

(12) Any other factor deemed appropriate by the commission.

(d) The commission may not decide whether to approve or deny an application submitted under section 4 of this chapter based on lobbying, political pressure, or unverifiable claims.



4 **Sec. 7. (a) This section applies if the commission receives more**
5 **than one (1) application proposing to operate an inland casino in**
6 **the same county.**

14 (1) A supplemental bid:

20 (A) The state.

23 (C) The city of Rising Sun.

24 (D) Ohio County.

37 (d) If a supplemental bid is submitted under this section, the
38 commission is not required to consider only applications
39 accompanied by a supplemental bid. The commission may approve
40 an application that was not accompanied by a supplemental bid.

41 (e) After the commission makes a final decision under section
42 8 of this chapter, the commission must make public each

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1 supplemental bid received under this section.

2 **Sec. 8. (a) After issuing the informational summary required**
 3 **under section 6(a)(2) of this chapter, and not later than April 15,**
 4 **2027, the commission shall issue a final decision approving or**
 5 **denying each application. The final decision must include written**
 6 **findings explaining the decision.**

7 **(b) The commission may:**

8 **(1) approve only one (1) application under subsection (a);**
 9 **and**

10 **(2) deny all of the filed applications if the commission**
 11 **determines that none of the applications serve the interests**
 12 **of the state.**

13 **Sec. 9. (a) If the commission approves an application of a**
 14 **licensed owner or permit holder to relocate gaming operations**
 15 **under section 8 of this chapter, the commission:**

16 **(1) shall require the licensed owner or permit holder to pay**
 17 **to the commission a fee of fifty million dollars (\$50,000,000)**
 18 **in the manner described in subsection (b);**

19 **(2) shall require the licensed owner or permit holder to make**
 20 **a one (1) time payment in the total amount of thirty million**
 21 **dollars (\$30,000,000) to the city of Rising Sun and Ohio**
 22 **County, due on the date set by the commission under section**
 23 **12 of this chapter for the license transfer; and**

24 **(3) may impose other requirements that the commission**
 25 **deems necessary and appropriate to protect the interest of**
 26 **the state and the person whose application is approved under**
 27 **section 8 of this chapter.**

28 **(b) The payment required by subsection (a)(1) must be paid to**
 29 **the commission in five (5) annual payments of equal amounts. The**
 30 **first payment required by this section is due within thirty (30) days**
 31 **of the approval of the application under section 8 of this chapter.**
 32 **The four (4) remaining annual payments are each due on the**
 33 **anniversary date of the first payment.**

34 **(c) The commission shall deposit the fee received under**
 35 **subsection (a) in the state general fund.**

36 **Sec. 10. (a) The commission shall contract with an independent**
 37 **third party consultant to determine the fair market value of the**
 38 **Ohio County license. IC 5-22 does not apply to procurement by the**
 39 **commission with respect to the contract required under this**
 40 **subsection.**

41 **(b) The fair market value determined under subsection (a)**
 42 **must be disclosed to the public not later than October 1, 2026.**



(c) This subsection does not apply if the commission approves an application to relocate gaming operations under section 8 of this chapter submitted by the current owner of the Ohio County license. The licensed owner or permit holder whose application was approved under section 8 of this chapter shall pay the amount determined under subsection (a) to the owner of the Ohio County license.

Sec. 11. (a) The commission may enforce the phasing and completion timelines to which the licensed owner or permit holder committed under section 4(a) of this chapter.

(b) If the licensed owner or permit holder whose application was approved by the commission under section 8 of this chapter sells or otherwise transfers the licensed owner's or permit holder's interest in the owner's license within ten (10) years from the date the application was approved, the following apply:

(1) The licensed owner or permit holder shall pay a fee of fifty million dollars (\$50,000,000) to the commission before the sale or transfer of the license may be approved by the commission. Any payment required under this subdivision shall be deposited in the state general fund.

(2) If, at the time of the transfer of ownership, the five hundred million dollar (\$500,000,000) investment to which the licensed owner or permit holder committed under section 4(a)(1)(C) of this chapter has not been met, the person acquiring the owner's license shall, not later than ten (10) years from the date the application was approved by the commission under section 8 of this chapter, invest in the casino and nongaming amenities an amount that is at least equal to the difference between five hundred million dollars (\$500,000,000) and the amount actually invested by the person transferring the owner's license.

Sec. 12. (a) The owner of the Ohio County license may continue gambling operations on the riverboat in Ohio County:

(1) during the application, review, and approval process under this chapter; and

(2) if an application is approved under section 8 of this chapter, until one (1) day before the date the commission has approved gambling operations to begin under the relocated owner's license in Allen County, DeKalb County, Steuben County, or Wayne County.

(b) If the commission approves an application to relocate gaming operations under section 8 of this chapter, the following

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1 **apply:**

2 **(1) The owner of the Ohio County license shall cease**
 3 **gambling operations on the riverboat in Ohio County not**
 4 **later than one (1) day before the date the commission has**
 5 **approved gambling operations to begin under the relocated**
 6 **owner's license in Allen County, DeKalb County, Steuben**
 7 **County, or Wayne County.**

8 **(2) After gambling operations cease on the riverboat in Ohio**
 9 **County under subdivision (1), and before the date the**
 10 **commission has approved gambling operations to begin**
 11 **under the relocated owner's license, the commission shall**
 12 **promptly transfer the owner's license issued under**
 13 **IC 4-33-6-1(a) to the licensed owner or permit holder whose**
 14 **application was approved under section 8 of this chapter.**

15 **(3) The licensed owner or permit holder to whom the owner's**
 16 **license is transferred under subdivision (2) is authorized to**
 17 **begin gambling operations in a casino in Allen County,**
 18 **DeKalb County, Steuben County, or Wayne County in**
 19 **accordance with IC 4-33-6-1(a)(7) and this chapter.**

20 SECTION 7. IC 4-33-12-1.5, AS AMENDED BY P.L.293-2019,

21 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 UPON PASSAGE]: Sec. 1.5. (a) A supplemental wagering tax on the
 23 wagering occurring each day at a riverboat is imposed upon the
 24 licensed owner operating the riverboat.

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

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

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

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

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

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

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



1 the day.

2 **(e) The supplemental wagering tax liability of a licensed owner**
 3 **operating an inland casino in Allen County, DeKalb County,**
 4 **Steuben County, or Wayne County under IC 4-33-6.8 is equal to**
 5 **three and five-tenths percent (3.5%) of the riverboat's adjusted**
 6 **gross receipts for the day.**

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

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

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

18 (A) the city in which the riverboat is located, if the city:
 19 (i) is located in a county having a population of more
 20 than one hundred twelve thousand (112,000) and less
 21 than one hundred twenty thousand (120,000); or
 22 (ii) is contiguous to the Ohio River and is the largest
 23 city in the county; and

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

26 (2) Except as provided in section 9(k) of this chapter, thirty-three
 27 and one-third percent (33 1/3%) of the admissions tax and
 28 supplemental wagering tax collected by the licensed owner
 29 during the quarter shall be paid to the county in which the
 30 riverboat is located. In the case of a county described in
 31 subdivision (1)(B), this thirty-three and one-third percent (33
 32 1/3%) of the admissions tax and supplemental wagering tax is in
 33 addition to the thirty-three and one-third percent (33 1/3%)
 34 received under subdivision (1)(B).

35 (3) Except as provided in section 9(k) of this chapter, three and
 36 thirty-three hundredths percent (3.33%) of the admissions tax
 37 and supplemental wagering tax collected by the licensed owner
 38 during the quarter shall be paid to the county convention and
 39 visitors bureau or promotion fund for the county in which the
 40 riverboat is located.

41 (4) Except as provided in section 9(k) of this chapter, five
 42 percent (5%) of the admissions tax and supplemental wagering



1 tax collected by the licensed owner during a quarter shall be paid
 2 to the state fair commission, for use in any activity that the
 3 commission is authorized to carry out under IC 15-13-3.

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

11 (6) Twenty-one and six hundred sixty-seven thousandths percent
 12 (21.667%) of the admissions tax and supplemental wagering tax
 13 collected by the licensed owner during the quarter shall be paid
 14 to the state general fund.

15 SECTION 9. IC 4-33-12-8.7 IS ADDED TO THE INDIANA
 16 CODE AS A NEW SECTION TO READ AS FOLLOWS
 17 [EFFECTIVE UPON PASSAGE]: Sec. 8.7. **(a) This section applies**
 18 **only to tax revenue collected from an inland casino located in Allen**
 19 **County, DeKalb County, Steuben County, or Wayne County under**
 20 **IC 4-33-6.8.**

21 **(b) The treasurer of state shall pay the following amounts from**
 22 **taxes collected during the preceding calendar quarter from the**
 23 **inland casino:**

24 **(1) Fifty percent (50%) to the city in which the casino**
 25 **conducts gaming operations.**

26 **(2) Fifty percent (50%) to the county in which the casino**
 27 **conducts gaming operations.**

28 **(c) This subsection applies to a city or county receiving money**
 29 **under subsection (b). Money paid to a city or county under**
 30 **subsection (b):**

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

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

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

40 **(4) is considered miscellaneous revenue.**

41 SECTION 10. IC 4-33-13-5, AS AMENDED BY P.L.9-2024,
 42 SECTION 109, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) This subsection does not
 2 apply to tax revenue remitted by an operating agent operating a
 3 riverboat in a historic hotel district. Excluding funds that are
 4 appropriated in the biennial budget act from the state gaming fund to
 5 the commission for purposes of administering this article, each month
 6 the state comptroller shall distribute the tax revenue deposited in the
 7 state gaming fund under this chapter to the following:

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

10 (A) Before July 1, 2021, the first thirty-three million dollars
 11 (\$33,000,000) of tax revenues collected under this chapter
 12 shall be set aside for revenue sharing under subsection (d).

13 (B) After June 30, 2021, if the total adjusted gross receipts
 14 received by licensees from gambling games authorized
 15 under this article during the preceding state fiscal year is
 16 equal to or greater than the total adjusted gross receipts
 17 received by licensees from gambling games authorized
 18 under this article during the state fiscal year ending June 30,
 19 2020, the first thirty-three million dollars (\$33,000,000) of
 20 tax revenues collected under this chapter shall be set aside
 21 for revenue sharing under subsection (d).

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

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

35 (ii) the total adjusted gross receipts received by
 36 licensees from gambling games authorized under this
 37 article during the state fiscal year ending June 30,
 38 2020;

39 shall be set aside for revenue sharing under subsection (d).

40 (2) Subject to subsection (c), twenty-five percent (25%) of the
 41 remaining tax revenue remitted by each licensed owner shall be



1 paid:

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

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

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 9
 10 (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).

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 15 (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.

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 23
 24 (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:

25
 26
 27
 28
 29
 30
 31 (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.

32
 33
 34 (2) For state fiscal years beginning after June 30, 2021, fifty-six and five-tenths percent (56.5%) shall be paid as follows:

35
 36 (A) Sixty-six and four-tenths percent (66.4%) shall be paid to the state general fund.

37
 38 (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).

39
 40
 41 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 county fiscal body for the receiving county shall provide for

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

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

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

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

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

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

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

41 To the extent possible, the Indiana economic development

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

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

29 (1) exceeds a particular city's or county's base year revenue; and
 30 (2) would otherwise be due to the city or county under this
 31 section;
 32 to the state general fund instead of to the city or county.

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

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



1 city's population bears to the total population of the county.
2 (2) To each town located in the county according to the ratio the
3 town's population bears to the total population of the county.
4 (3) After the distributions required in subdivisions (1) and (2)
5 are made, the remainder shall be retained by the county.
6 (e) Money received by a city, town, or county under subsection (d)
7 or (g) may be used for any of the following purposes:
8 (1) To reduce the property tax levy of the city, town, or county
9 for a particular year (a property tax reduction under this
10 subdivision does not reduce the maximum levy of the city, town,
11 or county under IC 6-1.1-18.5).
12 (2) For deposit in a special fund or allocation fund created under
13 IC 8-22-3.5, IC 36-7-14, IC 36-7-14.5, IC 36-7-15.1, and
14 IC 36-7-30 to provide funding for debt repayment.
15 (3) To fund sewer and water projects, including storm water
16 management projects.
17 (4) For police and fire pensions.
18 (5) To carry out any governmental purpose for which the money
19 is appropriated by the fiscal body of the city, town, or county.
20 Money used under this subdivision does not reduce the property
21 tax levy of the city, town, or county for a particular year or
22 reduce the maximum levy of the city, town, or county under
23 IC 6-1.1-18.5.
24 (f) This subsection does not apply to an inland casino operating in
25 **Vigo County, Allen County, DeKalb County, Steuben County, or**
26 **Wayne County.** Before July 15 of each year, the state comptroller shall
27 determine the total amount of money distributed to an entity under
28 IC 4-33-12-6 or IC 4-33-12-8 during the preceding state fiscal year. If
29 the state comptroller determines that the total amount of money
30 distributed to an entity under IC 4-33-12-6 or IC 4-33-12-8 during the
31 preceding state fiscal year was less than the entity's base year revenue
32 (as determined under IC 4-33-12-9), the state comptroller shall make
33 a supplemental distribution to the entity from taxes collected under this
34 chapter and deposited into the state general fund. Except as provided
35 in subsection (h), the amount of an entity's supplemental distribution
36 is equal to:
37 (1) the entity's base year revenue (as determined under
38 IC 4-33-12-9); minus
39 (2) the sum of:
40 (A) the total amount of money distributed to the entity and
41 constructively received by the entity during the preceding

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1 state fiscal year under IC 4-33-12-6 or IC 4-33-12-8; plus
 2 (B) the amount of any admissions taxes deducted under
 3 IC 6-3.1-20-7.

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

7 (1) To each city, other than the consolidated city, located in the
 8 county according to the ratio that the city's population bears to
 9 the total population of the county.
 10 (2) To each town located in the county according to the ratio that
 11 the town's population bears to the total population of the county.
 12 (3) After the distributions required in subdivisions (1) and (2)
 13 are made, the remainder shall be paid in equal amounts to the
 14 consolidated city and the county.

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

21 (1) Before July 1, 2021, forty-eight million dollars
 22 (\$48,000,000).
 23 (2) After June 30, 2021, if the total adjusted gross receipts
 24 received by licensees from gambling games authorized under
 25 this article during the preceding state fiscal year is equal to or
 26 greater than the total adjusted gross receipts received by
 27 licensees from gambling games authorized under this article
 28 during the state fiscal year ending June 30, 2020, the maximum
 29 amount is forty-eight million dollars (\$48,000,000).
 30 (3) After June 30, 2021, if the total adjusted gross receipts
 31 received by licensees from gambling games authorized under
 32 this article during the preceding state fiscal year is less than the
 33 total adjusted gross receipts received by licensees from gambling
 34 games authorized under this article during the state fiscal year
 35 ending June 30, 2020, the maximum amount is equal to the
 36 result of:
 37 (A) forty-eight million dollars (\$48,000,000); multiplied by
 38 (B) the result of:
 39 (i) the total adjusted gross receipts received by
 40 licensees from gambling games authorized under this
 41 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.

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.

20 (1) the remaining amount of the supplemental distribution; or
21 (2) the difference, if any, between:
22 (A) three million five hundred thousand dollars
23 (\$3,500,000); minus
24 (B) the amount of admissions taxes constructively received
25 by the unit in the previous state fiscal year.

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

30 (j) Money distributed to a political subdivision under subsection
31 (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;

38 (2) may not be used to reduce the maximum levy under
39 IC 6-1.1-18.5 of a county, city, or town or the maximum tax rate
40 of a school corporation, but, except as provided in subsection
41 (b)(3)(B), may be used at the discretion of the political



1 subdivision to reduce the property tax levy of the county, city, or
2 town for a particular year;

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

7 (4) is considered miscellaneous revenue.

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

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

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

24 **SECTION 11. An emergency is declared for this act.**

