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# HOUSE BILL No. 1038

Proposed Changes to January 22, 2026 printing by AM103814

## DIGEST OF PROPOSED AMENDMENT

Child care development funds. Provides that the family and social services administration shall verify and validate eligible recipients on a monthly basis and voucher the license owner of the casino in accordance with the appropriate costs.

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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.**

16 SECTION 2. IC 4-33-6-1, AS AMENDED BY P.L.293-2019,  
17 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
18 UPON PASSAGE]: Sec. 1. (a) The commission may issue to a person  
19 a license to own a riverboat subject to the numerical and geographical

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1 limitation of owner's licenses under this section and IC 4-33-4-17. Not  
 2 more than ten (10) owner's licenses may be in effect at any time.  
 3 Subject to subsection (d), those owner's licenses may be issued as  
 4 follows:

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

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

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

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

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

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

40 (1) A licensed owner holding two licenses issued under  
 41 subsection (a)(1) must relinquish one (1) of the licenses under  
 42 section 4.5 of this chapter upon the commission's approval of the

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1 licensed owner's request to relocate gaming operations under  
 2 section 4.5 of this chapter.

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

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

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

16 **(5) If the commission approves an application of a licensed**  
 17 **owner or permit holder to relocate gaming operations from**  
 18 **Ohio County under IC 4-33-6.8, a new owner's license may**  
 19 **not be issued to authorize gaming operations in Ohio County**  
 20 **after gaming operations are relocated to Allen County,**  
 21 **DeKalb County, Steuben County, or Wayne County.**

22 SECTION 3. IC 4-33-6-4.8 IS ADDED TO THE INDIANA CODE  
 23 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE  
 24 UPON PASSAGE]: Sec. 4.8. (a) This section applies to the licensed  
 25 owner of an inland casino operated in Allen County, DeKalb  
 26 County, Steuben County, or Wayne County under IC 4-33-6.8.

27 (b) A licensed owner described in subsection (a) shall enter  
 28 into a development agreement (as defined in IC 4-33-23-2) with the  
 29 county in which the casino conducts gaming operations.

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

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

35 (2) an inland casino operated in:

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

37 (B) **Allen County, DeKalb County, Steuben County, or**  
 38 **Wayne County under IC 4-33-6.8.**

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

42 (c) A licensed owner may relocate the licensed owner's gaming

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1       operation from a docked riverboat to an inland casino if the following  
 2       conditions are met:

3               (1) Except as provided in subsection (d), the casino is located on  
 4       property that the licensed owner owned or leased and used in the  
 5       conduct of the licensed owner's gaming operations on February  
 6       1, 2015.

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

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

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

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

16                       (1) acquire part of the public rights-of-way or railroad  
 17       rights-of-way to form a contiguous parcel with the property  
 18       owned or leased by the licensed owner on February 1, 2015; and  
 19                       (2) subject to the other requirements of this section, situate an  
 20       inland casino on the contiguous parcel formed under subdivision  
 21       (1).

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

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

28               SECTION 5. IC 4-33-6-25, AS AMENDED BY P.L.293-2019,  
 29       SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 30       UPON PASSAGE]: Sec. 25. (a) This section does not apply to a  
 31       riverboat gaming operation relocated under section 24 of this chapter.

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

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

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

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(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:**

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- (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

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**(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**

- (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.

(e) The commission may hold executive sessions under IC 5-14-1.5-6.1(b)(1) to review and discuss applications submitted under this chapter.

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

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(b) The commission may, after making the filed applications available to the public under section 6 of this chapter, solicit and accept a supplemental bid from one (1) or more of the licensed owners or permit holders that submitted an application described in subsection (a).

**(c) The following apply to a supplemental bid submitted under subsection (b):**

**(1) A supplemental bid:**

- (A) must be submitted only to the commission; and
- (B) subject to subsection (e), must be sealed and is confidential.

**(2) A supplemental bid may include proposed payments to one (1) or more of the following:**

(A) The state.

**(B) The community in which the proposed inland casino will be located.**

(C) The city of Rising Sun.

(D) Ohio County.

(3) Each supplemental bid must clearly identify the amount, recipient, and timing of a proposed payment under subdivision (2).

(4) An applicant may include in a supplemental bid modifications to the information submitted by the applicant under:

(A) section 4(a)(1)(B)(iii) through 4(a)(1)(B)(v) of this chapter; and

(B) section 4(a)(1)(C) of this chapter.

(5) A unit (as defined in IC 36-1-2-23) may not negotiate directly with a licensed owner or permit holder submitting a supplemental bid.

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

(e) After the commission makes a final decision under section 8 of this chapter, the commission must make public each supplemental bid received under this section.

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

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**(b) The commission may:**

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

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

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

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

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

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

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

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

**(d) This subsection applies to every resident of Ohio County who is receiving child care development funds or is on the waiting list to receive child care development funds.**

**(e) Effective the first day of operations of a new casino in Ohio County, the family and social services administration shall verify and validate eligible recipients on a monthly basis and voucher the license owner of the casino in accordance with the appropriate costs.**

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

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**(b) The fair market value determined under subsection (a) 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.

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

(1) The owner of the Ohio County license shall cease gambling operations on the riverboat in Ohio County not later than 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.

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

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

SECTION 7. IC 4-33-12-1.5, AS AMENDED BY P.L.293-2019, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: 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

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1 operating an inland casino in Vigo County is equal to two and  
 2 nine-tenths percent (2.9%) of the riverboat's adjusted gross receipts for  
 3 the day.

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

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

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

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

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

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

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

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

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

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

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

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

41 obligations under 103.111.1, and  
42 (4) is considered miscellaneous revenue.

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1 SECTION 10. IC 4-33-13-5, AS AMENDED BY P.L.9-2024,  
 2 SECTION 109, IS AMENDED TO READ AS FOLLOWS  
 3 [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) This subsection does not  
 4 apply to tax revenue remitted by an operating agent operating a  
 5 riverboat in a historic hotel district. Excluding funds that are  
 6 appropriated in the biennial budget act from the state gaming fund to  
 7 the commission for purposes of administering this article, each month  
 8 the state comptroller shall distribute the tax revenue deposited in the  
 9 state gaming fund under this chapter to the following:

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

12 (A) Before July 1, 2021, the first thirty-three million dollars  
 13 (\$33,000,000) of tax revenues collected under this chapter  
 14 shall be set aside for revenue sharing under subsection (d).

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

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

33 (i) the total adjusted gross receipts received by  
 34 licensees from gambling games authorized under this  
 35 article during the preceding state fiscal year; divided  
 36 by  
 37 (ii) the total adjusted gross receipts received by  
 38 licensees from gambling games authorized under this  
 39 article during the state fiscal year ending June 30,  
 40 2020;

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

42 (2) Subject to subsection (c), twenty-five percent (25%) of the

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1 remaining tax revenue remitted by each licensed owner shall be  
 2 paid:

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

6 (i) a city described in IC 4-33-12-6(b)(1)(A);  
 7 (ii) a city located in Lake County, **Allen County, DeKalb County, Steuben County, or Wayne County**; or  
 8

9 (iii) Terre Haute; or

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

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

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

31 (1) For state fiscal years beginning after June 30, 2019, but  
 32 ending before July 1, 2021, fifty-six and five-tenths percent  
 33 (56.5%) shall be paid to the state general fund.

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

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

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

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(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 the distribution of the amount in one-half thousand dollar increments.

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

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

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

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

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

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

40 To the extent possible, the Indiana economic development  
41 corporation shall provide for the transfer under item (i) to  
42 be made in four (4) equal installments. However, an amount

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

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

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

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

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

39 (1) To each city located in the county according to the ratio the  
 40 city's population bears to the total population of the county.

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

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

14 (4) For police and fire pensions.

15 (5) To carry out any governmental purpose for which the money  
16 is appropriated by the fiscal body of the city, town, or county.  
17 Money used under this subdivision does not reduce the property  
18 tax levy of the city, town, or county for a particular year or  
19 reduce the maximum levy of the city, town, or county under  
20 IC 6-1.1-18.5.

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

36 (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
- (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

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1 auditor shall distribute the money received by the county under  
 2 subsection (d) as follows:

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

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

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

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

17 (1) Before July 1, 2021, forty-eight million dollars  
 18 (\$48,000,000).

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

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

33 (A) forty-eight million dollars (\$48,000,000); multiplied by  
 34 (B) the result of:

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

39 (ii) the total adjusted gross receipts received by  
 40 licensees from gambling games authorized under this  
 41 article during the state fiscal year ending June 30,  
 42 2020.

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

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

15           (1) the remaining amount of the supplemental distribution; or  
 16           (2) the difference, if any, between:  
 17               (A) three million five hundred thousand dollars  
 18               (\$3,500,000); minus  
 19               (B) the amount of admissions taxes constructively received  
 20               by the unit in the previous state fiscal year.

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

25           (j) Money distributed to a political subdivision under subsection  
 26       (b):

27               (1) must be paid to the fiscal officer of the political subdivision  
 28       and may be deposited in the political subdivision's general fund  
 29       (in the case of a school corporation, the school corporation may  
 30       deposit the money into either the education fund (IC 20-40-2) or  
 31       the operations fund (IC 20-40-18)) or riverboat fund established  
 32       under IC 36-1-8-9, or both;  
 33               (2) may not be used to reduce the maximum levy under  
 34       IC 6-1.1-18.5 of a county, city, or town or the maximum tax rate  
 35       of a school corporation, but, except as provided in subsection  
 36       (b)(3)(B), may be used at the discretion of the political  
 37       subdivision to reduce the property tax levy of the county, city, or  
 38       town for a particular year;  
 39               (3) except as provided in subsection (b)(3)(B), may be used for  
 40       any legal or corporate purpose of the political subdivision,  
 41       including the pledge of money to bonds, leases, or other  
 42       obligations under IC 5-1-14-4; and

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1 (4) is considered miscellaneous revenue.

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

18 SECTION 11. An emergency is declared for this act.

19  
20

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