

PROPOSED AMENDMENT

HB 1052 # 30

DIGEST

Attorney general depository. Removes the requirements: (1) that prosecuting attorneys forward a copy of an illegal gambling notice to the attorney general; and (2) that the attorney general maintain a depository to collect, maintain, and retain such notices.

- 1 Page 35, between lines 2 and 3, begin a new paragraph and insert:
2 "SECTION 46. IC 35-45-5-4.5, AS ADDED BY P.L.70-2005,
3 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2026]: Sec. 4.5. (a) A prosecuting attorney may send written
5 notice to an operator described in section 2(c) or 3(b) of this chapter.
6 The notice must:
7 (1) specify the illegal gambling activity;
8 (2) state that the operator has not more than thirty (30) days after
9 the date the notice is received to remove the illegal gambling
10 activity; and
11 (3) state that failure to remove the illegal gambling activity not
12 more than thirty (30) days after receiving the notice may result in
13 the filing of criminal charges against the operator.
14 ~~A prosecuting attorney who sends a notice under this section shall~~
15 ~~forward a copy of the notice to the attorney general. The attorney~~
16 ~~general shall maintain a depository to collect, maintain, and retain each~~
17 ~~notice sent under this section.~~
18 (b) The manner of service of a notice under subsection (a) must be:
19 (1) in compliance with Rule 4.1, 4.4, 4.6, or 4.7 of the Indiana
20 Rules of Trial Procedure; or
21 (2) by publication in compliance with Rule 4.13 of the Indiana
22 Rules of Trial Procedure if service cannot be made under
23 subdivision (1) after a diligent search for the operator.
24 (c) A notice served under subsection (a):
25 (1) is admissible in a criminal proceeding under this chapter; and
26 (2) constitutes prima facie evidence that the operator had

1 knowledge that illegal gambling was occurring on the operator's
2 Internet site.

3 (d) A person outside Indiana who transmits information on a
4 computer network (as defined in IC 35-43-2-3) and who knows or
5 should know that the information is broadcast in Indiana submits to the
6 jurisdiction of Indiana courts for prosecution under this section."

7 Renumber all SECTIONS consecutively.

(Reference is to HB 1052 as reprinted January 30, 2026.)