

# SENATE BILL No. 384

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-32.2-1-1; IC 4-38; IC 6-8.1-1-1; IC 35-45-5-13; IC 35-51-4-1.

**Synopsis:** Video gaming. Authorizes wagering on video gaming terminals in taverns. Requires the gaming commission to contract with a statewide video gaming operator to conduct video gaming through contracts with licensed taverns. Imposes a video gaming wagering tax of 30% of the net terminal income. Provides that the remaining net terminal income is divided equally between the statewide video gaming operator and the licensed tavern.

**Effective:** July 1, 2014.

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## Boots

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January 14, 2014, read first time and referred to Committee on Public Policy.

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Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

## SENATE BILL No. 384

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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 4-32.2-1-1, AS AMENDED BY P.L.95-2008,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2014]: Sec. 1. (a) This article applies only to a qualified  
4 organization.  
5 (b) This article applies only to the following approved gambling  
6 events conducted as fundraising activities by qualified organizations:  
7 (1) Bingo events, charity game nights, door prize events, raffle  
8 events, festivals, and other gaming events approved by the  
9 commission.  
10 (2) The sale of pull tabs, punchboards, and tip boards:  
11 (A) at bingo events, charity game nights, door prize events,  
12 raffle events, and festivals conducted by qualified  
13 organizations; or  
14 (B) at any time on the premises owned or leased by a qualified  
15 organization and regularly used for the activities of the  
16 qualified organization.



1 This article does not apply to any other sale of pull tabs,  
2 punchboards, and tip boards.

3 (c) This article does not apply to a promotion offer subject to  
4 IC 24-8.

5 (d) This article does not apply to the following:

6 (1) A type II gambling game authorized by IC 4-36.

7 (2) A raffle or other gambling game authorized by IC 4-36-5-1(b).

8 **(3) Video gaming authorized by IC 4-38.**

9 SECTION 2. IC 4-38 IS ADDED TO THE INDIANA CODE AS A  
10 NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
11 2014]:

12 **ARTICLE 38. VIDEO GAMING IN ESTABLISHMENTS**  
13 **LICENSED TO SELL ALCOHOLIC BEVERAGES**

14 **Chapter 1. General Provisions**

15 **Sec. 1. This article applies only to wagering on video gaming**  
16 **terminals located in licensed establishments under a video gaming**  
17 **terminal installation contract described in IC 4-38-9-2.**

18 **Sec. 2. All shipments of video gaming terminals to a supplier, a**  
19 **licensee, or the statewide video gaming operator in Indiana, the**  
20 **registering, recording, and labeling of which have been completed**  
21 **by the manufacturer or dealer in accordance with 15 U.S.C. 1171**  
22 **through 15 U.S.C. 1178, are legal shipments of gambling devices**  
23 **into Indiana.**

24 **Sec. 3. Under 15 U.S.C. 1172, approved January 2, 1951, the**  
25 **state of Indiana, acting by and through elected and qualified**  
26 **members of the general assembly, declares that the state is exempt**  
27 **from 15 U.S.C. 1172.**

28 **Sec. 4. (a) This section does not apply to real or personal**  
29 **property taxes imposed by a local taxing unit.**

30 **(b) Local governmental authority concerning all matters**  
31 **relating to video gaming conducted under this article is preempted**  
32 **by the state under this article.**

33 **(c) No tax or fee, except as provided in this article, shall be**  
34 **assessed or collected from a licensee by a political subdivision**  
35 **having the power to assess or collect a tax or fee. This section does**  
36 **not prohibit the assessment and levying of property taxes otherwise**  
37 **authorized by law or the imposing of a special assessment**  
38 **(including a ditch or drainage assessment, Barrett Law assessment,**  
39 **improvement assessment, sewer assessment, or sewage assessment)**  
40 **otherwise authorized by law to be imposed on property to be**  
41 **benefited by an improvement.**

42 **(d) A political subdivision may not enter an agreement with a**



1 licensee that requires any financial commitments from the licensee  
2 that are in addition to the fees and taxes imposed under this article.

3 **Sec. 5. This article will maintain the public's confidence and**  
4 **trust through:**

- 5 (1) comprehensive law enforcement supervision; and  
6 (2) the strict regulation of facilities, persons, associations, and  
7 video gaming at licensed establishments.

8 **Chapter 2. Definitions**

9 **Sec. 1. The definitions in this chapter apply throughout this**  
10 **article.**

11 **Sec. 2. "Bureau" refers to the child support bureau of the**  
12 **department of child services established by IC 31-25-3-1.**

13 **Sec. 3. "Commission" refers to the Indiana gaming commission**  
14 **established by IC 4-33-3-1.**

15 **Sec. 4. "Delinquent", in reference to child support, means at**  
16 **least:**

- 17 (1) two thousand dollars (\$2,000); or  
18 (2) three (3) months;

19 **past due on payment of court ordered child support.**

20 **Sec. 5. "Department" refers to the department of state revenue.**

21 **Sec. 6. "Electronic card" means a card purchased from a**  
22 **licensed establishment for use in that establishment as a substitute**  
23 **for cash in the conduct of gaming on a video gaming terminal.**

24 **Sec. 7. "Gross receipts" means the total amount of money**  
25 **exchanged for the purchase of electronic cards by video gaming**  
26 **patrons in a licensed establishment.**

27 **Sec. 8. "Licensed establishment" means a tavern licensed to**  
28 **conduct video gaming under this article.**

29 **Sec. 9. "Licensee" means a person holding a license issued under**  
30 **this article.**

31 **Sec. 10. "Major procurement" means a procurement for a**  
32 **contract for the start up, distribution, and operation of the video**  
33 **gaming system established by this article.**

34 **Sec. 11. "Net terminal income" means the difference between**  
35 **the value of wagers made on a video gaming terminal and the value**  
36 **of the credits paid out to patrons.**

37 **Sec. 12. "Patron" means an individual who wagers on gambling**  
38 **games played on a video gaming terminal.**

39 **Sec. 13. "Person" means an individual, a sole proprietorship, a**  
40 **partnership, an association, a fiduciary, a corporation, a limited**  
41 **liability company, or any other business entity.**

42 **Sec. 14. "Supplier" means a person holding a supplier's license.**



1       **Sec. 15. "Supplier's license" means a license issued under**  
 2 **IC 4-33-7.**

3       **Sec. 16. "Tavern" means that part of a premises licensed under**  
 4 **IC 7.1:**

5           (1) that is a separate room from the public spaces of the  
 6 licensed premises in which a minor may be present under  
 7 **IC 7.1-5-7-11(a)(16);**

8           (2) that is used primarily for the serving of alcoholic  
 9 beverages by the drink to the general public; and

10          (3) where food service is secondary to the primary use  
 11 described in subdivision (2) in the amount of sales.

12 **The term includes a tavern operated by a bona fide fraternal**  
 13 **organization (as defined by IC 4-32.2-2-7.5) or a bona fide veterans**  
 14 **organization (as defined by IC 4-32.2-2-11).**

15       **Sec. 17. "Vendor" means a person who provides or proposes to**  
 16 **provide goods or services to the commission. The term does not**  
 17 **include an employee of the commission, a licensed establishment,**  
 18 **a licensee, a supplier, or a state agency.**

19       **Sec. 18. "Video gaming terminal" means an electronic video**  
 20 **gaming machine that:**

21           (1) is available for consideration to play or simulate the play  
 22 of a gambling game, including poker, line up, and black jack,  
 23 using a video display and microprocessors; and

24           (2) awards winning players with free games or credits that  
 25 may be redeemed for cash.

26 **The term does not include a machine that directly dispenses coins,**  
 27 **cash, or tokens or is for amusement purposes only.**

28       **Chapter 3. Powers and Duties of Indiana Gaming Commission**

29       **Sec. 1. (a) The commission has the following powers for the**  
 30 **purpose of administering, regulating, and enforcing the system of**  
 31 **video gaming established under this article:**

32           (1) All powers and duties specified in this article.

33           (2) All powers necessary and proper to fully and effectively  
 34 execute this article.

35           (3) The power to conduct hearings and to issue subpoenas for  
 36 the attendance of witnesses and subpoenas duces tecum for  
 37 the production of books, records, and other relevant  
 38 documents.

39           (4) The power to administer oaths and affirmations to the  
 40 witnesses.

41           (5) The power to revoke, suspend, or renew licenses issued  
 42 under this article.



- 1           **(6) The power to hire employees to gather information,**  
 2           **conduct investigations, and carry out other tasks under this**  
 3           **article.**
- 4           **(b) The commission has the following duties for the purpose of**  
 5           **administering, regulating, and enforcing the system of video**  
 6           **gaming established under this article:**
- 7               **(1) To investigate and reinvestigate applicants, vendors,**  
 8               **suppliers, licensees, and the statewide video gaming operator.**  
 9               **(2) To take appropriate administrative enforcement or**  
 10              **disciplinary action against a person regulated under this**  
 11              **article.**  
 12              **(3) To investigate alleged violations of this article.**  
 13              **(4) To take any reasonable or appropriate action to enforce**  
 14              **this article.**
- 15           **Sec. 2. The commission may adopt rules under IC 4-22-2 for the**  
 16           **following purposes:**
- 17               **(1) Administering this article.**  
 18               **(2) Establishing the conditions under which video gaming in**  
 19               **Indiana may be conducted.**  
 20               **(3) Providing for the prevention of practices detrimental to**  
 21               **the public interest and providing for the best interests of video**  
 22               **gaming in Indiana.**  
 23               **(4) Imposing penalties for noncriminal violations of this**  
 24               **article.**
- 25           **Sec. 3. The commission shall do the following:**
- 26               **(1) Conduct all hearings concerning civil violations of this**  
 27               **article.**  
 28               **(2) Levy and collect penalties for noncriminal violations of**  
 29               **this article.**  
 30               **(3) Deposit the penalties in the state general fund.**
- 31           **Sec. 4. The commission shall adopt standards for the licensing**  
 32           **of the following:**
- 33               **(1) Persons regulated under this article.**  
 34               **(2) Equipment necessary to conduct video gaming.**
- 35           **Sec. 5. (a) If a licensee or an employee of a licensee violates this**  
 36           **article or engages in a fraudulent act, the commission may do any**  
 37           **combination of the following:**
- 38               **(1) Suspend, revoke, or restrict the license of the licensee.**  
 39               **(2) Require the removal of a licensee or an employee of a**  
 40               **licensee.**  
 41               **(3) Impose a civil penalty of not more than the greater of:**  
 42                   **(A) ten thousand dollars (\$10,000); or**



1           **(B) an amount equal to the licensee's daily gross receipts**  
 2           **received from video gaming for the day of the violation;**  
 3           **against a licensee for each violation of this article.**

4           **(b) If a supplier or an employee of a supplier violates this article**  
 5           **or engages in a fraudulent act, the commission may do any**  
 6           **combination of the following:**

7           **(1) Suspend, revoke, or restrict the license of the supplier.**

8           **(2) Require the removal of a supplier or an employee of a**  
 9           **supplier.**

10          **(3) Impose a civil penalty of not more than twenty-five**  
 11          **thousand dollars (\$25,000) against a supplier for each**  
 12          **violation of this article.**

13          **Sec. 6. The commission shall require a licensee to conspicuously**  
 14          **display the telephone number of the toll free telephone line**  
 15          **described in IC 4-33-12-6 on a poster or placard that is on display**  
 16          **in a public area of each establishment conducting video gaming.**

17          **Chapter 4. Procurement of a Statewide Video Gaming Operator**

18          **Sec. 1. (a) The commission shall enter into a contract for a**  
 19          **major procurement of a statewide video gaming operator. The**  
 20          **statewide video gaming operator is responsible for implementing**  
 21          **video gaming under IC 4-38-9.**

22          **(b) The commission may enter into other contracts for the**  
 23          **purchase, lease, or lease-purchase of goods or services necessary to**  
 24          **carry out this article as determined by the commission.**

25          **Sec. 2. The commission shall investigate the financial**  
 26          **responsibility, security, and integrity of a person who submits a**  
 27          **bid, proposal, or offer as part of a major procurement. At a**  
 28          **minimum, each person must disclose at the time of submitting a**  
 29          **bid, proposal, or offer to the commission all of the following items:**

30          **(1) A disclosure of the vendor's name and address and the**  
 31          **names and addresses of the following:**

32               **(A) If the vendor is a corporation, the officers, the**  
 33               **directors, and each stockholder in the corporation, except**  
 34               **that in the case of owners of equity securities of a publicly**  
 35               **traded corporation only the names and addresses of those**  
 36               **known to the corporation to own beneficially at least five**  
 37               **percent (5%) in equity securities need be disclosed.**

38               **(B) If the vendor is a trust, the trustees and all persons**  
 39               **entitled to receive income or benefits from the trust.**

40               **(C) If the vendor is an association, the members, officers,**  
 41               **and directors.**

42               **(D) If the vendor is a partnership or joint venture, all of**



- 1           the general partners, limited partners, or joint venturers.  
2           **(2) A disclosure of all the states and jurisdictions in which the**  
3           **vendor does business and the nature of that business for each**  
4           **state or jurisdiction.**  
5           **(3) A disclosure of all the states and jurisdictions in which the**  
6           **vendor has contracts to supply gaming goods or services, and**  
7           **of the nature of the goods and services involved for each state**  
8           **or jurisdiction.**  
9           **(4) A disclosure of all the states and jurisdictions in which the**  
10          **vendor has applied for, has sought renewal of, has received,**  
11          **has been denied, has pending, or has had revoked or**  
12          **terminated a gaming license or contract of any kind and of the**  
13          **disposition in each state or jurisdiction. If a gaming license or**  
14          **contract has been revoked or terminated or has not been**  
15          **renewed, or if a gaming license application or contract bid has**  
16          **been either denied or is pending and has remained pending**  
17          **for more than six (6) months, all of the facts and**  
18          **circumstances underlying this failure to receive a license or**  
19          **contract must be disclosed.**  
20          **(5) A tax clearance statement from the department certifying**  
21          **that the vendor is not on the most recent tax warrant list.**  
22          **(6) A disclosure of the details of a conviction or judgment of**  
23          **a state or federal court of the vendor of a felony or any other**  
24          **criminal offense other than a traffic violation.**  
25          **(7) A disclosure of the details of a bankruptcy, an insolvency,**  
26          **a reorganization, or any pending litigation of the vendor.**  
27          **(8) If a vendor subcontracts part of the work to be performed,**  
28          **the vendor shall disclose all the information required by this**  
29          **chapter for the subcontractor as if the subcontractor were a**  
30          **vendor.**  
31          **(9) Additional disclosures and information the commission**  
32          **determines appropriate for the procurement involved.**  
33          **Sec. 3. A contract for a major procurement with a vendor that**  
34          **does not comply with the disclosure requirements described in**  
35          **section 2 of this chapter may not be entered into and is not**  
36          **enforceable. A contract with a vendor who does not comply with**  
37          **the requirements for periodically updating the disclosures during**  
38          **the tenure of the contract as specified in the contract may be**  
39          **terminated by the commission. This section shall be construed**  
40          **broadly and liberally to achieve full disclosure of all information**  
41          **necessary to allow for a full and complete evaluation by the**  
42          **commission of the competence, integrity, background, and**





1 character of vendors for major procurement.

2 Sec. 4. A contract for a major procurement with a vendor may  
3 not be entered into if the vendor has been convicted of, or entered  
4 a plea of guilty or nolo contendere to, a felony committed in the  
5 preceding ten (10) years, regardless of adjudication, unless the  
6 commission determines that:

7 (1) the vendor has been pardoned or the vendor's civil rights  
8 have been restored;

9 (2) subsequent to the conviction or entry of the plea the  
10 vendor has engaged in the kind of law abiding commerce and  
11 good citizenship that would reflect well upon the integrity of  
12 the lottery; or

13 (3) if the vendor is a firm, an association, a partnership, a  
14 trust, a corporation, a limited liability company, or other  
15 entity, the vendor has terminated its relationship with the  
16 individual whose actions directly contributed to the vendor's  
17 conviction or entry of the plea.

18 Sec. 5. Each vendor in a major procurement must, at the time  
19 of executing the contract with the commission, post an appropriate  
20 bond or a letter of credit with the commission in an amount equal  
21 to the full amount estimated to be paid annually to the vendor  
22 under contract. However, the commission may, by a majority vote  
23 of all the members of the commission, adopt a resolution expressly  
24 permitting the director to decrease the bond or letter of credit  
25 requirement for a procurement, if the director determines that the  
26 decrease will result in a cost savings to the commission while still  
27 providing adequate protection against nonperformance. In lieu of  
28 a bond or letter of credit, a vendor may, to assure the faithful  
29 performance of its obligations, deposit and maintain with the  
30 commission securities that are interest bearing or accruing and  
31 that, with the exception of those specified in subdivision (1) or (2),  
32 are rated in one (1) of the four (4) highest classifications by an  
33 established nationally recognized investment rating service.  
34 Securities eligible under this section are limited to the following:

35 (1) Certificates of deposit issued by solvent banks or savings  
36 associations organized and existing under Indiana law or  
37 under the laws of the United States and having their principal  
38 place of business in Indiana.

39 (2) United States bonds and bills for which the full faith and  
40 credit of the government of the United States is pledged for  
41 the payment of principal and interest.

42 (3) General obligation bonds and notes of any political



1 subdivision of the state.

2 (4) Corporate bonds of a corporation that is not an affiliate or  
3 subsidiary of the depositor.

4 Securities shall be held in trust and must have at all times a market  
5 value at least equal to the full amount estimated to be paid  
6 annually to the vendor under contract.

7 Sec. 6. Each vendor must be qualified to do business in Indiana  
8 and shall file appropriate tax returns as provided by Indiana law.  
9 All contracts are governed by Indiana law.

10 Sec. 7. IC 5-22 does not apply to a major procurement by the  
11 commission. The commission shall adopt rules under IC 4-22-2 for  
12 major procurement. The rules shall be designed to aid the  
13 commission in evaluating competing proposals and selecting the  
14 proposal that provides the greatest long term benefit to Indiana  
15 with respect to the quality of the system of video gaming  
16 established by this article, dependability and integrity of the  
17 vendor, dependability of the vendor's service, security, competence,  
18 timeliness, and maximization of gross revenues and net proceeds  
19 over the life of the contract.

20 Sec. 8. (a) After selecting the most appropriate statewide video  
21 gaming operator applicant, the commission may enter into a  
22 contract with the person. The statewide video gaming operator  
23 contract must comply with this article and include the following  
24 terms and conditions:

25 (1) The statewide video gaming operator must pay a  
26 nonrefundable initial fee of one million dollars (\$1,000,000) to  
27 the commission under IC 4-38-13-1.

28 (2) The statewide video gaming operator must post a bond as  
29 required in section 5 of this chapter.

30 (3) Notwithstanding any law limiting the maximum length of  
31 contracts:

32 (A) the initial term of the contract may not exceed ten (10)  
33 years; and

34 (B) any renewal or extension period permitted under the  
35 contract may not exceed ten (10) years.

36 (4) A provision for payment of liquidated damages to the  
37 commission for a breach of the major procurement contract  
38 by the statewide video gaming operator.

39 (5) The statewide video gaming operator must comply with  
40 the restrictions on the transferability of the statewide video  
41 gaming operator contract under section 9 of this chapter.

42 (b) A contract entered into by the commission under this section



1 may not include a provision allowing for warrantless searches.

2 **Sec. 9. (a) The statewide video gaming operator must apply for**  
 3 **and receive the commission's approval before:**

4 **(1) a statewide video gaming operator contract is:**

5 **(A) transferred;**

6 **(B) sold; or**

7 **(C) purchased; or**

8 **(2) a voting trust agreement or other similar agreement is**  
 9 **established with respect to the statewide video gaming**  
 10 **operator.**

11 **(b) The commission shall adopt rules governing the procedure**  
 12 **the statewide video gaming operator or other person must follow**  
 13 **to take an action under subsection (a). The rules must specify that**  
 14 **a person who obtains an ownership interest in a statewide video**  
 15 **gaming operator contract must meet the criteria of this article and**  
 16 **any rules adopted by the commission. A statewide video gaming**  
 17 **operator may transfer an interest in a statewide video gaming**  
 18 **operator contract only in accordance with this article and rules**  
 19 **adopted by the commission.**

20 **(c) A statewide video gaming operator or any other person may**  
 21 **not:**

22 **(1) lease;**

23 **(2) hypothecate; or**

24 **(3) borrow or loan money against;**

25 **a statewide video gaming operator contract.**

26 **Chapter 5. Licensing of Establishments**

27 **Sec. 1. (a) Subject to section 8 of this chapter, the commission**  
 28 **shall issue an establishment license to an applicant that satisfies the**  
 29 **requirements of this article.**

30 **(b) An establishment license:**

31 **(1) qualifies the licensee to enter into a video gaming terminal**  
 32 **installation contract with the statewide video gaming operator**  
 33 **for conducting video gaming under this article; and**

34 **(2) allows the licensee to conduct video gaming under a video**  
 35 **gaming terminal installation contract at the tavern specified**  
 36 **in the licensee's application under section 3(b)(2) of this**  
 37 **chapter.**

38 **A person must obtain a separate establishment license for each**  
 39 **tavern at which the person wishes to conduct video gaming under**  
 40 **a video gaming terminal installation contract.**

41 **(c) An establishment license issued under this chapter is valid**  
 42 **for one (1) year.**



1           **Sec. 2. (a) To qualify for an establishment license, a person must**  
 2 **operate a tavern licensed under IC 7.1-3 to sell alcoholic beverages**  
 3 **to customers for consumption on the premises of the tavern.**

4           **(b) The following may not apply for an establishment license**  
 5 **under this article:**

6           **(1) A person holding a horse track permit under IC 7.1-3-17.7.**

7           **(2) A licensed owner of a riverboat licensed under IC 4-33.**

8           **(3) An operating agent who operates a riverboat in a historic**  
 9 **hotel district under IC 4-33-6.5.**

10           **(4) A person holding a gambling game license issued under**  
 11 **IC 4-35-5.**

12           **(5) A person holding a permit issued under IC 7.1-3 for a**  
 13 **licensed premises that is not a tavern, including holders of the**  
 14 **following:**

15           **(A) A boat permit.**

16           **(B) A hotel permit.**

17           **(C) A resort hotel permit.**

18           **(D) An airport permit.**

19           **(E) A satellite facility permit.**

20           **(F) A microbrewery permit.**

21           **(G) A social club permit.**

22           **(H) A civic center permit.**

23           **(I) A catering hall permit.**

24           **(J) A dining car permit.**

25           **(K) A temporary event permit.**

26           **(L) A permit for any of the following facilities:**

27           **(i) A stadium.**

28           **(ii) An automobile race track.**

29           **(iii) A concert hall.**

30           **Sec. 3. (a) To obtain an establishment license, a person must**  
 31 **submit an application form to the commission.**

32           **(b) An application submitted under this section must include at**  
 33 **least the following:**

34           **(1) The name and address of the applicant and of any person**  
 35 **holding at least a ten percent (10%) interest in the applicant.**

36           **(2) The name and address of the tavern for which the**  
 37 **applicant wishes to obtain an establishment license.**

38           **(3) The applicant's consent to credit investigations and**  
 39 **criminal record searches.**

40           **(4) Waivers and releases signed by the applicant that the**  
 41 **commission believes are necessary to ensure a full and**  
 42 **complete review of the application.**



1 (c) An applicant must furnish all information requested by the  
2 commission, including financial data and documents, certifications,  
3 consents, waivers, and individual histories.

4 (d) The commission shall review the applications for an  
5 establishment license under this chapter and shall inform each  
6 applicant of the commission's decision concerning the issuance of  
7 an establishment license.

8 Sec. 4. The costs of investigating an applicant for an  
9 establishment license under this chapter must be paid from the  
10 initial license fee paid by the applicant under IC 4-38-13.

11 Sec. 5. The commission shall conduct or cause to be conducted  
12 a background investigation of each applicant for a license issued  
13 under this chapter.

14 Sec. 6. Criminal history record information obtained during the  
15 investigation of an individual must be maintained by the  
16 commission for the term of the establishment license and for any  
17 subsequent license term.

18 Sec. 7. The commission may require that an application or other  
19 document submitted by an applicant or a licensee must be sworn  
20 to or affirmed before a notary public.

21 Sec. 8. The commission may not issue an establishment license  
22 to an applicant if any of the following apply:

23 (1) The applicant has knowingly made a false statement of  
24 material fact to the commission.

25 (2) The applicant is found by the commission to lack the  
26 necessary financial stability or responsibility for holding an  
27 establishment license issued under this article.

28 (3) The applicant, if an individual, is less than twenty-one (21)  
29 years of age on the date on which the application is received  
30 by the commission.

31 (4) The applicant is on the most recent tax warrant list.

32 (5) The applicant, if an individual, has been convicted of or  
33 entered a plea of guilty or nolo contendere to a felony within  
34 the ten (10) years preceding the date of the license application,  
35 unless the commission determines that:

36 (A) the individual has been pardoned or the individual's  
37 civil rights have been restored;

38 (B) after the conviction or entry of the plea, the individual  
39 has engaged in the kind of law abiding commerce and good  
40 citizenship that would reflect well upon the integrity of the  
41 commission; or

42 (C) the individual has terminated a relationship with a



- 1           person whose actions directly contributed to the conviction  
2           or entry of the plea.
- 3           **(6) The applicant fails to provide all materials requested by**  
4           **the commission.**
- 5           **Sec. 9. Credit and security investigation information submitted**  
6           **in connection with an application for an establishment license**  
7           **under this article is confidential and may not be disclosed except**  
8           **for official purposes under this article or under a judicial order.**
- 9           **Sec. 10. An establishment license issued under this article may**  
10          **not be transferred without prior written approval of the**  
11          **commission.**
- 12          **Sec. 11. If the commission proposes to revoke an establishment**  
13          **license issued under this chapter, the licensee may continue to**  
14          **operate under the license until the commission has made a decision**  
15          **and all administrative appeals have been exhausted by the licensee.**
- 16          **Chapter 6. Licensing of Suppliers**
- 17          **Sec. 1. A person may not:**
- 18                **(1) sell;**  
19                **(2) lease; or**  
20                **(3) contract to sell or lease;**
- 21          **a video gaming terminal to the statewide video gaming operator**  
22          **unless the person holds a supplier's license originally issued under**  
23          **IC 4-33-7-1 or renewed under IC 4-33-7-8.**
- 24          **Chapter 7. Suspension, Probation, and Denial of Licenses for**  
25          **Failure to Pay Child Support**
- 26          **Sec. 1. (a) Upon receiving an order of a court issued under**  
27          **IC 31-16-12-9 (or IC 31-14-12-6 before its repeal), the commission**  
28          **shall:**
- 29                **(1) suspend a license issued under this article to a person who**  
30                **is the subject of the order; and**
- 31                **(2) promptly mail a notice to the last known address of the**  
32                **person who is the subject of the order, stating the following:**
- 33                    **(A) That the person's license is suspended beginning five**  
34                    **(5) business days after the date the notice is mailed, and**  
35                    **that the suspension will terminate not earlier than ten (10)**  
36                    **business days after the commission receives an order**  
37                    **allowing reinstatement from the court that issued the**  
38                    **suspension order.**
- 39                    **(B) That the person has the right to petition for**  
40                    **reinstatement of a license suspended under this chapter to**  
41                    **the court that issued the order for suspension.**
- 42          **(b) The commission shall not reinstate a license suspended**



1 under subsection (a) until the commission receives an order  
 2 allowing reinstatement from the court that issued the order for  
 3 suspension.

4 Sec. 2. (a) Upon receiving an order from the bureau (Title IV-D  
 5 agency) under IC 31-25-4-32(h), the commission shall send to the  
 6 person who is the subject of the order a notice that does the  
 7 following:

8 (1) States that the person is delinquent and is subject to an  
 9 order placing the person on probationary status.

10 (2) Explains that unless the person contacts the bureau and:

11 (A) pays the person's child support arrearage in full;

12 (B) establishes a payment plan with the bureau to pay the  
 13 arrearage, which includes an income withholding order  
 14 under IC 31-16-15-2 or IC 31-16-15-2.5; or

15 (C) requests a hearing under IC 31-25-4-33;

16 within twenty (20) days after the date the notice is mailed, the  
 17 commission shall place the person on probationary status with  
 18 respect to any license issued to the person under this article.

19 (3) Explains that the person may contest the bureau's  
 20 determination that the person is delinquent and subject to an  
 21 order placing the person on probationary status by making  
 22 written application to the bureau within twenty (20) days  
 23 after the date the notice is mailed.

24 (4) Explains that the only basis for contesting the bureau's  
 25 determination that the person is delinquent and subject to an  
 26 order placing the person on probationary status is a mistake  
 27 of fact.

28 (5) Explains the procedures to:

29 (A) pay the person's child support arrearage in full;

30 (B) establish a payment plan with the bureau to pay the  
 31 arrearage, which includes an income withholding order  
 32 under IC 31-16-15-2 or IC 31-16-15-2.5; and

33 (C) request a hearing under IC 31-25-4-33.

34 (6) Explains that the probation will terminate ten (10)  
 35 business days after the commission receives a notice from the  
 36 bureau that the person has:

37 (A) paid the person's child support arrearage in full; or

38 (B) established a payment plan with the bureau to pay the  
 39 arrearage, which includes an income withholding order  
 40 under IC 31-16-15-2 or IC 31-16-15-2.5.

41 (b) Upon receiving an order from the bureau (Title IV-D  
 42 agency) under IC 31-25-4-34(c), the commission shall send to the



1 person who is the subject of the order a notice that states the  
2 following:

3 (1) That a license issued to the person under this article has  
4 been placed on probationary status, beginning five (5)  
5 business days after the date the notice is mailed, and that the  
6 probation will terminate ten (10) business days after the  
7 commission receives a notice from the bureau that the person  
8 has:

9 (A) paid the person's child support arrearage in full; or  
10 (B) established a payment plan with the bureau to pay the  
11 arrearage, which includes an income withholding order  
12 under IC 31-16-15-2 or IC 31-16-15-2.5.

13 (2) That if the commission is advised by the bureau that the  
14 person whose license has been placed on probationary status  
15 has failed to:

16 (A) pay the person's child support arrearage in full; or  
17 (B) establish a payment plan with the bureau to pay the  
18 arrearage, which includes an income withholding order  
19 under IC 31-16-15-2 or IC 31-16-15-2.5;

20 within twenty (20) days after the date the notice is mailed, the  
21 commission shall suspend the person's license.

22 (c) If a person whose license has been placed on probationary  
23 status fails to:

24 (1) pay the person's child support arrearage in full; or  
25 (2) establish a payment plan with the bureau to pay the  
26 arrearage, which includes an income withholding order under  
27 IC 31-16-15-2 or IC 31-16-15-2.5;

28 within twenty (20) days after the notice required under subsection  
29 (b) is mailed, the commission shall suspend the person's license.

30 (d) The commission may not reinstate a license placed on  
31 probation or suspended under this section until the commission  
32 receives a notice from the bureau that the person has:

33 (1) paid the person's child support arrearage in full; or  
34 (2) established a payment plan with the bureau to pay the  
35 arrearage, which includes an income withholding order under  
36 IC 31-16-15-2 or IC 31-16-15-2.5, as required by IC 4-38-9-20.

### 37 Chapter 8. Video Gaming Terminal Standards

38 Sec. 1. A licensee may not install a video gaming terminal in a  
39 licensed establishment under a video gaming terminal installation  
40 contract unless the video gaming terminal has been approved by  
41 the commission.

42 Sec. 2. The commission may use the services of an independent





1 testing laboratory to test video gaming terminals for compliance  
2 with this chapter.

3 **Sec. 3. A video gaming terminal must do the following to satisfy**  
4 **the requirements for approval under this chapter:**

5 (1) Conform to all requirements of federal law, including  
6 Class A Emissions Standards imposed under 47 CFR 15.

7 (2) Pay out a mathematically demonstrable percentage during  
8 the service life of the terminal of at least eighty percent  
9 (80%).

10 (3) Use a random selection process to determine the outcome  
11 of each play of a game.

12 (4) Use a random selection process that meets ninety-nine  
13 percent (99%) confidence limits using a standard chi-squared  
14 test for goodness of fit.

15 (5) Display an accurate representation of the game outcome.

16 (6) Be capable of detecting and displaying the following  
17 conditions during an idle state or on demand:

18 (A) Power reset.

19 (B) Door open.

20 (C) Door just closed.

21 (7) Be capable of displaying complete play history, including  
22 outcome, intermediate play steps, credits available, bets  
23 placed, credits paid, and credits cashed out, for the eleven (11)  
24 games most recently played on the terminal.

25 (8) Allow the replacement parts or modules required for  
26 normal maintenance without requiring the replacement of the  
27 electromechanical meters.

28 (9) House in a locked area of the terminal meters that:

29 (A) are incapable of being reset; and

30 (B) keep a permanent record of the value of any electronic  
31 card inserted into the terminal, all winnings made by the  
32 terminal printer, credits played, and credits won by video  
33 gaming players.

34 (10) Allow on demand display of the information recorded in  
35 compliance with subdivision (9)(B).

36 (11) Use accounting software that keeps an electronic record  
37 of at least the following information:

38 (A) The total value of all electronic cards inserted into the  
39 terminal.

40 (B) The value of winning tickets claimed by players.

41 (C) The total credits played.

42 (D) The total credits awarded by the terminal.



- 1           (E) The pay back percentage credited to the players of  
2           each game.
- 3           (12) Link to a central communications system to provide  
4           auditing program information required by the commission.
- 5           Sec. 4. The commission may not approve a video gaming  
6           terminal:
- 7           (1) on which an automatic alteration of pay tables or any  
8           function of the video gaming terminal through an internal  
9           computation of hold percentage is possible;
- 10          (2) that is subject to any means of manipulation that affects  
11          the random selection process or the probabilities of winning  
12          a game; or
- 13          (3) that may be adversely affected by a static discharge or  
14          other electromagnetic interference.
- 15          Sec. 5. The theoretical payback percentage of a video gaming  
16          terminal may not be altered except by changing the hardware or  
17          software of the video gaming terminal on site or through the  
18          central communications system required by IC 4-38-9-4.
- 19          Sec. 6. The statewide video gaming operator shall retain any  
20          electronically stored meter information recorded in accordance  
21          with this chapter for at least one hundred eighty (180) days after  
22          a loss of electric power to a video gaming terminal in service at a  
23          licensed establishment.
- 24          Chapter 9. Conduct of Video Gaming
- 25          Sec. 1. The statewide video gaming operator is responsible for  
26          managing video gaming in Indiana by contracting with licensed  
27          establishments for the installation and administration of video  
28          gaming terminals.
- 29          Sec. 2. A person must hold an establishment license to enter into  
30          a contract with the statewide video gaming operator for the  
31          installation of video gaming terminals in a tavern operated by the  
32          person.
- 33          Sec. 3. The statewide video gaming operator must own each  
34          video gaming terminal installed under this article and is  
35          responsible for maintaining each video gaming terminal. The  
36          statewide video gaming operator shall ensure that each video  
37          gaming terminal complies with the requirements of this article and  
38          the commission.
- 39          Sec. 4. (a) The statewide video gaming operator must ensure  
40          that each video gaming terminal in Indiana is linked to a central  
41          communications system operated by the statewide video gaming  
42          operator.



1           **(b) The central communications system required by this section**  
2 **must:**

3           **(1) use a standard industry protocol approved by the**  
4 **commission; and**

5           **(2) allow the commission or the statewide video gaming**  
6 **operator to activate or deactivate a particular video gaming**  
7 **terminal from a remote location.**

8           **Sec. 5. (a) The statewide video gaming operator is liable for the**  
9 **video gaming wagering tax imposed under IC 4-38-12.**

10           **(b) The statewide video gaming operator shall impose uniform**  
11 **accounting requirements upon each licensed establishment with**  
12 **which the statewide video gaming operator enters into a video**  
13 **gaming terminal installation contract under section 2 of this**  
14 **chapter. The statewide video gaming operator shall ensure that**  
15 **each licensed establishment accurately reports the net terminal**  
16 **income received by the licensed establishment each month. The**  
17 **statewide video gaming operator and the commission must be able**  
18 **to audit accounts maintained under this chapter using the central**  
19 **communications system required by section 4 of this chapter. Any**  
20 **requirement imposed under this section must be preapproved by**  
21 **the commission.**

22           **Sec. 6. The state board of accounts shall audit the statewide**  
23 **video gaming operator each year.**

24           **Sec. 7. A licensed establishment conducting video gaming must**  
25 **install a video gaming terminal in a separate room from the public**  
26 **spaces of the licensed establishment in which a minor may be**  
27 **present under IC 7.1-5-7-11(a)(16).**

28           **Sec. 8. The maximum number of video gaming terminals that**  
29 **may be installed in a licensed establishment is five (5).**

30           **Sec. 9. A licensed establishment conducting video gaming must**  
31 **use a cashless wagering system in which a patron's money is**  
32 **converted to an electronic card that may be used only for wagering**  
33 **on a video gaming terminal at the licensed establishment.**

34           **Sec. 10. (a) All electronic cards used to make wagers must be**  
35 **acquired from the licensed establishment while present in the**  
36 **licensed establishment.**

37           **(b) Electronic cards may be acquired by means of an agreement**  
38 **under which the licensed establishment extends credit to the**  
39 **patron.**

40           **Sec. 11. Electronic cards may be used while present in the**  
41 **licensed establishment only for the purpose of making wagers on**  
42 **video gaming terminals.**



1           **Sec. 12.** The maximum amount that a patron may wager on a  
2 particular game on a video gaming terminal is two dollars (\$2).

3           **Sec. 13.** The maximum amount that a patron may win from  
4 playing a particular game on a video gaming terminal is five  
5 hundred ninety-nine dollars (\$599).

6           **Sec. 14.** A video gaming terminal may not directly dispense cash,  
7 coins, or any article of exchange or value other than a receipt  
8 ticket.

9           **Sec. 15.** A patron must be able to obtain a receipt ticket at the  
10 end of the patron's play by pressing a ticket dispensing button on  
11 the video gaming terminal.

12           **Sec. 16.** A receipt ticket must include the following information:

13           (1) The total amount of credits and the amount of the cash  
14 award, if any, won by the patron.

15           (2) The date and time that the receipt ticket is dispensed.

16           (3) The serial number of the video gaming terminal.

17           (4) The sequential number of the receipt ticket.

18           (5) An encrypted validation number from which the validity  
19 of the cash award, if any, may be determined.

20           **Sec. 17.** A patron may collect any cash award won on a video  
21 gaming terminal by submitting the cash receipt ticket to an  
22 authorized employee of the licensed establishment in which the  
23 video gaming terminal is located.

24           **Sec. 18.** An installation contract entered into under section 2 of  
25 this chapter must require a licensed establishment to remit to the  
26 statewide video gaming operator the following amounts before the  
27 tenth day of each month:

28           (1) Thirty percent (30%) of the net terminal income received  
29 in the previous month from each video gaming terminal  
30 operated in the licensed establishment for paying the tax  
31 imposed under IC 4-38-12.

32           (2) Thirty-five percent (35%) of the net terminal income  
33 received in the previous month from each video gaming  
34 terminal operated in the licensed establishment to compensate  
35 the statewide video gaming operator under the contract.

36           **Sec. 19. (a)** The following persons may not wager on a video  
37 gaming terminal:

38           (1) An employee of the commission.

39           (2) A person less than twenty-one (21) years of age.

40           (3) A licensee.

41           (4) The statewide video gaming operator.

42           (5) A person employed by the statewide video gaming



1 operator.

2 (b) A person employed by a licensed establishment offering  
3 video gaming may not wager on a video gaming terminal located  
4 in the licensed establishment employing the person.

5 Sec. 20. (a) The bureau shall provide information to a licensed  
6 establishment concerning persons who are delinquent in child  
7 support.

8 (b) If a licensed establishment is required to file Form W-2G or  
9 a substantially equivalent form with the United States Internal  
10 Revenue Service for a person who is delinquent in child support,  
11 before payment of cash winnings from video gaming, the licensed  
12 establishment:

13 (1) may deduct and retain an administrative fee in the amount  
14 of the lesser of:

15 (A) three percent (3%) of the amount of delinquent child  
16 support withheld under subdivision (2)(A); or

17 (B) one hundred dollars (\$100); and

18 (2) shall:

19 (A) withhold the amount of delinquent child support owed  
20 from the cash winnings;

21 (B) transmit to the bureau:

22 (i) the amount withheld for delinquent child support;  
23 and

24 (ii) identifying information, including the full name,  
25 address, and Social Security number of the obligor and  
26 the child support case identifier, the date and amount of  
27 the payment, and the name and location of the licensed  
28 establishment; and

29 (C) issue the obligor a receipt in a form prescribed by the  
30 bureau with the total amount withheld for delinquent child  
31 support and the administrative fee.

32 (c) The bureau shall notify the obligor at the address provided  
33 by the licensed establishment that the bureau intends to offset the  
34 obligor's delinquent child support with the cash winnings.

35 (d) The bureau shall hold the amount withheld from cash  
36 winnings of the obligor for ten (10) business days before applying  
37 the amount as payment to the obligor's delinquent child support.

38 (e) The delinquent child support required to be withheld under  
39 this section and an administrative fee described under subsection  
40 (b)(1) have priority over any secured or unsecured claim on cash  
41 winnings except claims for federal or state taxes that are required  
42 to be withheld under federal or state law.



1           **Chapter 10. Crimes and Penalties**

2           **Sec. 1. A person who knowingly or intentionally:**

- 3           (1) makes a false statement on an application submitted under  
4           this article;  
5           (2) conducts video gaming in a manner other than the manner  
6           required by this article;  
7           (3) permits a person less than twenty-one (21) years of age to  
8           make a wager on a video gaming terminal;  
9           (4) conducts video gaming at a location other than a tavern  
10          authorized by this article; or  
11          (5) makes a false statement on an application submitted to the  
12          commission under this article;

13          commits a Class A misdemeanor.

14          **Chapter 11. Judicial Review**

15          **Sec. 1. Except as provided in this article, IC 4-21.5 applies to**  
16          **actions of the commission.**

17          **Sec. 2. An appeal of a final rule or order of the commission**  
18          **issued under this article may be commenced under IC 4-21.5 in the**  
19          **circuit court of the county containing an affected licensed**  
20          **establishment.**

21          **Sec. 3. (a) The commission may require a licensee to suspend**  
22          **video gaming operations without notice or hearing if the**  
23          **commission determines that the safety or health of patrons or**  
24          **employees would be threatened by the continued operation of video**  
25          **gaming in the licensed establishment.**

26          **(b) The suspension of video gaming operations under this**  
27          **section may remain in effect until the commission determines that**  
28          **the cause for suspension has been abated. The commission may**  
29          **revoke a license issued under this article if the commission**  
30          **determines that the licensee has not made satisfactory progress**  
31          **toward abating the hazard.**

32          **Chapter 12. Video Gaming Wagering Tax**

33          **Sec. 1. A tax is imposed on the net terminal income received**  
34          **from video gaming authorized under this article at the rate of**  
35          **thirty percent (30%) of the total amount of the net terminal income**  
36          **received each month.**

37          **Sec. 2. The statewide video gaming operator shall remit the tax**  
38          **imposed by section 1 of this chapter to the department before the**  
39          **fifteenth day of the calendar month following the calendar month**  
40          **in which the net terminal income is received.**

41          **Sec. 3. The statewide video gaming operator shall submit the**  
42          **following information to the department on a form prescribed by**



1 the department before the fifteenth day of each month:

2 (1) The total amount of gross receipts received from video  
3 gaming in the previous month.

4 (2) The total amount of net terminal income received from  
5 video gaming in the previous month.

6 (3) The total amount of taxes remitted under section 2 of this  
7 chapter.

8 (4) The information required by subdivisions (1) through (3)  
9 for each licensed establishment conducting video gaming in  
10 the previous month.

11 Sec. 4. The department may require payment under this section  
12 to be made by electronic funds transfer (as defined in  
13 IC 4-8.1-2-7(e)).

14 Sec. 5. The department shall deposit tax revenue collected under  
15 this chapter in the state general fund.

16 Chapter 13. License Fees

17 Sec. 1. The statewide video gaming operator shall pay an initial  
18 license fee of one million dollars (\$1,000,000) to the commission.

19 Sec. 2. The commission shall charge five hundred dollars (\$500)  
20 for an initial establishment license authorizing a person to enter  
21 into a contract with the statewide video gaming operator to  
22 conduct video gaming in the person's tavern.

23 Sec. 3. The commission shall charge each licensee holding an  
24 establishment license the following annual renewal fees:

25 (1) One hundred dollars (\$100) in the case of a licensed  
26 establishment that had net terminal income of less than  
27 twenty-five thousand dollars (\$25,000) in the previous twelve  
28 (12) calendar months.

29 (2) Two hundred fifty dollars (\$250) in the case of a licensed  
30 establishment that had net terminal income of at least  
31 twenty-five thousand dollars (\$25,000) but less than fifty  
32 thousand dollars (\$50,000) in the previous twelve (12)  
33 calendar months.

34 (3) Five hundred dollars (\$500) in the case of a licensed  
35 establishment that had net terminal income of at least fifty  
36 thousand dollars (\$50,000) but less than one hundred  
37 thousand dollars (\$100,000) in the previous twelve (12)  
38 calendar months.

39 (4) One thousand dollars (\$1,000) in the case of a licensed  
40 establishment that had net terminal income of at least one  
41 hundred thousand dollars (\$100,000) in the previous twelve  
42 (12) calendar months.



1           **Sec. 4. A licensee shall pay an annual renewal fee due under**  
 2 **section 3 of this chapter on the first day of the calendar month**  
 3 **containing the anniversary date of the issuance of the licensee's**  
 4 **establishment license.**

5           **Sec. 5. The commission shall deposit all fees collected under this**  
 6 **chapter into the state general fund.**

7           SECTION 3. IC 6-8.1-1-1, AS AMENDED BY P.L.277-2013,  
 8 SECTION 15, AND AS AMENDED BY P.L.288-2013, SECTION 68,  
 9 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 10 [EFFECTIVE JULY 1, 2014]: Sec. 1. "Listed taxes" or "taxes" includes  
 11 only the pari-mutuel taxes (IC 4-31-9-3 through IC 4-31-9-5); the  
 12 riverboat admissions tax (IC 4-33-12); the riverboat wagering tax  
 13 (IC 4-33-13); the slot machine wagering tax (IC 4-35-8); the type II  
 14 gambling game excise tax (IC 4-36-9); **the video gaming wagering**  
 15 **tax (IC 4-38-12)**; the gross income tax (IC 6-2.1) (repealed); the utility  
 16 receipts and utility services use taxes (IC 6-2.3); the state gross retail  
 17 and use taxes (IC 6-2.5); the adjusted gross income tax (IC 6-3); the  
 18 supplemental net income tax (IC 6-3-8) (repealed); the county adjusted  
 19 gross income tax (IC 6-3.5-1.1); the county option income tax  
 20 (IC 6-3.5-6); the county economic development income tax  
 21 (IC 6-3.5-7); the auto rental excise tax (IC 6-6-9); the financial  
 22 institutions tax (IC 6-5.5); the gasoline tax (IC 6-6-1.1); *the alternative*  
 23 *fuel permit fee (IC 6-6-2.1)*; the special fuel tax (IC 6-6-2.5); the motor  
 24 carrier fuel tax (IC 6-6-4.1); a motor fuel tax collected under a  
 25 reciprocal agreement under IC 6-8.1-3; the motor vehicle excise tax  
 26 (IC 6-6-5); *the aviation fuel excise tax (IC 6-6-13)*; the commercial  
 27 vehicle excise tax (IC 6-6-5.5); the excise tax imposed on recreational  
 28 vehicles and truck campers (IC 6-6-5.1); the hazardous waste disposal  
 29 tax (IC 6-6-6.6); the cigarette tax (IC 6-7-1); the beer excise tax  
 30 (IC 7.1-4-2); the liquor excise tax (IC 7.1-4-3); the wine excise tax  
 31 (IC 7.1-4-4); the hard cider excise tax (IC 7.1-4-4.5); the malt excise  
 32 tax (IC 7.1-4-5); the petroleum severance tax (IC 6-8-1); the various  
 33 innkeeper's taxes (IC 6-9); the various food and beverage taxes  
 34 (IC 6-9); the county admissions tax (IC 6-9-13 and IC 6-9-28); the  
 35 regional transportation improvement income tax (IC 8-24-17); the oil  
 36 inspection fee (IC 16-44-2); the emergency and hazardous chemical  
 37 inventory form fee (IC 6-6-10); the penalties assessed for oversize  
 38 vehicles (IC 9-20-3 and IC 9-30); the fees and penalties assessed for  
 39 overweight vehicles (IC 9-20-4 and IC 9-30); the underground storage  
 40 tank fee (IC 13-23); the solid waste management fee (IC 13-20-22);  
 41 and any other tax or fee that the department is required to collect or  
 42 administer.





1 SECTION 4. IC 35-45-5-13 IS ADDED TO THE INDIANA CODE  
 2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 3 1, 2014]: **Sec. 13. This chapter does not apply to video gaming  
 4 authorized by IC 4-38.**

5 SECTION 5. IC 35-51-4-1, AS AMENDED BY P.L.158-2013,  
 6 SECTION 673, AND AS AMENDED BY P.L.221-2013, SECTION 7,  
 7 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 8 [EFFECTIVE JULY 1, 2014]: Sec. 1. The following statutes define  
 9 crimes in IC 4:

- 10 IC 4-1-10-8 (Concerning state agencies).  
 11 IC 4-1-10-9 (Concerning state agencies).  
 12 IC 4-2-7-8 (Concerning the inspector general).  
 13 IC 4-4-27-8 (Concerning the inspection of grain).  
 14 IC 4-13.6-4-14 (Concerning state public works).  
 15 IC 4-21.5-3-36 (Concerning administrative proceedings).  
 16 IC 4-21.5-3-37 (Concerning administrative proceedings).  
 17 IC 4-30-3-19 (Concerning the lottery).  
 18 IC 4-30-3-19.5 (Concerning the lottery).  
 19 IC 4-30-3-19.7 (Concerning the lottery).  
 20 IC 4-30-12-5 (Concerning the lottery).  
 21 IC 4-30-13-1 (Concerning the lottery).  
 22 IC 4-30-14-1 (Concerning the lottery).  
 23 IC 4-30-14-2 (Concerning the lottery).  
 24 IC 4-30-14-3 (Concerning the lottery).  
 25 IC 4-30-14-4 (Concerning the lottery).  
 26 IC 4-30-14-5 (Concerning ~~horse racing~~; the lottery).  
 27 IC 4-30-14-6 (Concerning the lottery).  
 28 ~~IC 4-31-7-9 (Concerning horse racing).~~  
 29 IC 4-31-13-3 (Concerning horse racing).  
 30 IC 4-31-13-3.5 (Concerning horse racing).  
 31 IC 4-31-13-9 (Concerning horse racing).  
 32 IC 4-32.2-8-4 (Concerning charity gaming).  
 33 IC 4-33-10-1 (Concerning riverboat gambling).  
 34 IC 4-33-10-2 (Concerning riverboat gambling).  
 35 IC 4-33-10-2.1 (Concerning riverboat gambling).  
 36 IC 4-33-10-2.5 (Concerning riverboat gambling).  
 37 ~~IC 4-33-10-6 (Concerning riverboat gambling).~~  
 38 IC 4-33-22-14 (Concerning boxing and mixed martial arts).  
 39 IC 4-33-22-40 (Concerning boxing and mixed martial arts).  
 40 IC 4-35-9-2 (Concerning gambling games at racetracks).  
 41 ~~IC 4-35-9-3 (Concerning gambling games at racetracks).~~  
 42 IC 4-35-9-4 (Concerning gambling games at racetracks).



- 1 IC 4-35-9-5 (Concerning gambling games at racetracks).
- 2 *IC 4-35-9-6 (Concerning gambling games at racetracks).*
- 3 IC 4-36-6-5 (Concerning gambling in certain establishments).
- 4 **IC 4-38-10-1 (Concerning video gaming).**

