

# SENATE BILL No. 417

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-1-8-1; IC 4-3-26-7; IC 4-33; IC 4-35; IC 4-39; IC 31-25-4; IC 35-45-5-15.

**Synopsis:** Interactive gaming. Authorizes the following persons to conduct interactive gaming: (1) A licensed owner of a riverboat. (2) An operating agent operating a riverboat in a historic hotel district. (3) A permit holder conducting gambling games at the permit holder's racetrack. Provides for the licensure of persons providing services and equipment for managing and conducting interactive gaming. Specifies requirements for the conduct of interactive gaming. Imposes an adjusted gross receipts tax of 18% on interactive gaming. Provides for revenue sharing to cities and counties in which casinos are operated. Makes an appropriation. Makes conforming and technical changes.

**Effective:** July 1, 2021.

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## Ford Jon

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January 19, 2021, read first time and referred to Committee on Rules and Legislative Procedure.

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First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

## SENATE BILL No. 417

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A BILL FOR AN ACT to amend the Indiana Code concerning gaming and to make an appropriation.

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

- 1 SECTION 1. IC 4-1-8-1, AS AMENDED BY P.L.58-2019,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2021]: Sec. 1. (a) No individual may be compelled by any  
4 state agency, board, commission, department, bureau, or other entity of  
5 state government (referred to as "state agency" in this chapter) to  
6 provide the individual's Social Security number to the state agency  
7 against the individual's will, absent federal requirements to the  
8 contrary. However, the provisions of this chapter do not apply to the  
9 following:  
10 (1) Department of state revenue.  
11 (2) Department of workforce development.  
12 (3) The programs administered by:  
13 (A) the division of family resources;  
14 (B) the division of mental health and addiction;  
15 (C) the division of disability and rehabilitative services;  
16 (D) the division of aging; and  
17 (E) the office of Medicaid policy and planning;



- 1 of the office of the secretary of family and social services.  
 2 (4) Auditor of state.  
 3 (5) State personnel department.  
 4 (6) Secretary of state, with respect to the registration of  
 5 broker-dealers, agents, and investment advisors.  
 6 (7) The lobby registration commission, with respect to the  
 7 registration of lobbyists.  
 8 (8) Indiana department of administration, with respect to bidders  
 9 on contracts.  
 10 (9) Indiana department of transportation, with respect to bidders  
 11 on contracts.  
 12 (10) Indiana professional licensing agency.  
 13 (11) Department of insurance, with respect to licensing of  
 14 insurance producers.  
 15 (12) The department of child services.  
 16 (13) A pension fund administered by the board of trustees of the  
 17 Indiana public retirement system.  
 18 (14) The state police benefit system.  
 19 (15) The alcohol and tobacco commission.  
 20 (16) The state department of health, for purposes of licensing  
 21 radiologic technologists under IC 16-41-35-29(c).  
 22 (b) The bureau of motor vehicles may, notwithstanding this chapter,  
 23 require the following:  
 24 (1) That an individual include the individual's Social Security  
 25 number in an application for an official certificate of title for any  
 26 vehicle required to be titled under IC 9-17.  
 27 (2) That an individual include the individual's Social Security  
 28 number on an application for registration.  
 29 (3) That a corporation, limited liability company, firm,  
 30 partnership, or other business entity include its federal tax  
 31 identification number on an application for registration.  
 32 (4) That an individual include the individual's Social Security  
 33 number on an application for a license, a permit, or an  
 34 identification card.  
 35 (c) The Indiana department of administration, the Indiana  
 36 department of transportation, and the Indiana professional licensing  
 37 agency may require an employer to provide its federal employer  
 38 identification number.  
 39 (d) The department of correction may require a committed offender  
 40 to provide the offender's Social Security number for purposes of  
 41 matching data with the Social Security Administration to determine  
 42 benefit eligibility.



1 (e) The Indiana gaming commission may, notwithstanding this  
2 chapter, require the following:

3 (1) That an individual include the individual's Social Security  
4 number:

5 (A) in any application for a riverboat owner's license,  
6 supplier's license, or occupational license; or

7 (B) in any document submitted to the commission in the  
8 course of an investigation necessary to ensure that gaming  
9 under IC 4-32.3, IC 4-33, ~~and~~ IC 4-35, **IC 4-38, and IC 4-39**  
10 is conducted with credibility and integrity.

11 (2) That a sole proprietorship, a partnership, an association, a  
12 fiduciary, a corporation, a limited liability company, or any other  
13 business entity include its federal tax identification number on an  
14 application for a riverboat owner's license or supplier's license.

15 (f) Notwithstanding this chapter, the department of education  
16 established by IC 20-19-3-1 may require an individual who applies to  
17 the department for a license or an endorsement to provide the  
18 individual's Social Security number. The Social Security number may  
19 be used by the department only for conducting a background  
20 investigation, if the department is authorized by statute to conduct a  
21 background investigation of an individual for issuance of the license or  
22 endorsement.

23 SECTION 2. IC 4-3-26-7, AS ADDED BY P.L.269-2017,  
24 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
25 JULY 1, 2021]: Sec. 7. As used in this chapter, "government  
26 information" refers to any information created, received, maintained,  
27 or stored by or otherwise in the control of a governmental entity,  
28 regardless of the form or the media on which the information is  
29 recorded. The term does not include any of the following:

30 (1) The investigative records of law enforcement agencies that  
31 employ the law enforcement officers listed in IC 35-31.5-2-185.

32 (2) The confidential advisory opinions requested or given by the  
33 office of the inspector general.

34 (3) Other information made confidential by IC 4-2-6, IC 4-2-7,  
35 IC 5-2-4, IC 31-33-18, IC 9-32-16-1, IC 10-13-3, 26 CFR 20, or  
36 28 CFR 23.

37 (4) Confidential investigative records related to an investigation  
38 under IC 4-31, IC 4-33, ~~or~~ IC 4-35, **IC 4-38, or IC 4-39** and any  
39 other information classified as confidential under IC 4-31,  
40 IC 4-33, ~~or~~ IC 4-35, **IC 4-38, or IC 4-39**.

41 SECTION 3. IC 4-33-2-2, AS AMENDED BY P.L.293-2019,  
42 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2021]: Sec. 2. (a) "Adjusted gross receipts" means:

2 (1) the total of all cash and property (including checks received  
3 by a licensee or an operating agent) whether collected or not,  
4 received by a licensee or an operating agent from gaming  
5 operations; minus

6 (2) the total of:

7 (A) all cash paid out as winnings to patrons; and

8 (B) uncollectible gaming receivables, not to exceed the lesser  
9 of:

10 (i) a reasonable provision for uncollectible patron checks  
11 received from gaming operations; or

12 (ii) two percent (2%) of the total of all sums, including  
13 checks, whether collected or not, less the amount paid out as  
14 winnings to patrons.

15 For purposes of this section, a counter or personal check that is invalid  
16 or unenforceable under this article is considered cash received by the  
17 licensee or operating agent from gaming operations.

18 (b) The term does not include amounts received from:

19 (1) sports wagering conducted by a licensee or **an** operating agent  
20 under IC 4-38; **or**

21 (2) **interactive gaming conducted by a licensee or an operating**  
22 **agent under IC 4-39.**

23 SECTION 4. IC 4-33-2-21 IS ADDED TO THE INDIANA CODE  
24 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**  
25 **1, 2021]: Sec. 21. "Interactive gaming" has the meaning set forth**  
26 **in IC 4-39-2-4.**

27 SECTION 5. IC 4-33-3-22, AS AMENDED BY P.L.293-2019,  
28 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
29 JULY 1, 2021]: Sec. 22. (a) The commission shall file a written annual  
30 report with the governor before September 1 of each year. The  
31 commission shall file any additional reports that the governor requests.

32 (b) The annual report filed under this section must include a  
33 statement describing the following:

34 (1) The receipts and disbursements of the commission.

35 (2) Actions taken by the commission.

36 (3) The development and fiscal impact of:

37 (A) sports wagering conducted under IC 4-38; **and**

38 (B) **interactive gaming conducted under IC 4-39.**

39 (4) Any additional information and recommendations that:

40 (A) the commission considers useful; or

41 (B) the governor requests.

42 SECTION 6. IC 4-33-9-0.5 IS ADDED TO THE INDIANA CODE



1 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
2 1, 2021]: **Sec. 1. This chapter may not be construed to restrict the**  
3 **authorized use of the Internet to conduct sports wagering under**  
4 **IC 4-38 or interactive gaming under IC 4-39 by:**

- 5 (1) a licensed owner;  
6 (2) an operating agent;  
7 (3) a trustee in accordance with IC 4-33-21;  
8 (4) a vendor contracted with a licensed owner, an operating  
9 agent, or a trustee for the conduct of sports wagering under  
10 IC 4-38; or  
11 (5) an interactive gaming management service provider  
12 contracted with a licensed owner, an operating agent, or a  
13 trustee for the conduct of interactive gaming under IC 4-39.

14 SECTION 7. IC 4-33-12-0.5, AS AMENDED BY P.L.293-2019,  
15 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
16 JULY 1, 2021]: Sec. 0.5. This chapter does not apply to the following:

- 17 (1) A riverboat in a historic hotel district.  
18 (2) Sports wagering conducted under IC 4-38 at a riverboat.  
19 (3) **Interactive gaming conducted under IC 4-39 by a licensed**  
20 **owner.**

21 SECTION 8. IC 4-33-13-0.5, AS ADDED BY P.L.293-2019,  
22 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
23 JULY 1, 2021]: Sec. 0.5. This chapter does not apply to **the following:**

- 24 (1) Sports wagering conducted under IC 4-38 at a riverboat.  
25 (2) **Interactive gaming conducted under IC 4-39 by a licensed**  
26 **owner.**

27 SECTION 9. IC 4-33-14-11, AS ADDED BY P.L.293-2019,  
28 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
29 JULY 1, 2021]: Sec. 11. This chapter applies to:

- 30 (1) sports wagering conducted under IC 4-38; **and**  
31 (2) **interactive gaming conducted under IC 4-39;**

32 by a licensed owner or an operating agent.

33 SECTION 10. IC 4-33-18-9, AS AMENDED BY P.L.58-2019,  
34 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
35 JULY 1, 2021]: Sec. 9. (a) Nothing in this chapter may be construed to  
36 limit the powers or responsibilities of:

- 37 (1) the state lottery commission under IC 4-30;  
38 (2) the Indiana horse racing commission under IC 4-31; or  
39 (3) the Indiana gaming commission under IC 4-32.3, IC 4-33, ~~or~~  
40 IC 4-35, **IC 4-38, or IC 4-39.**

41 (b) The department may not exercise any administrative or  
42 regulatory powers with respect to:



- 1 (1) the Indiana lottery under IC 4-30;  
 2 (2) pari-mutuel horse racing under IC 4-31;  
 3 (3) charity gaming under IC 4-32.3;  
 4 (4) riverboat casino gambling under IC 4-33; **or**  
 5 (5) gambling games conducted at a racetrack (as defined in  
 6 IC 4-35-2-9) under IC 4-35;  
 7 **(6) sports wagering conducted under IC 4-38; or**  
 8 **(7) interactive gaming conducted under IC 4-39.**

9 SECTION 11. IC 4-35-2-2, AS AMENDED BY P.L.293-2019,  
 10 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2021]: Sec. 2. (a) "Adjusted gross receipts" means:

- 12 (1) the total of all cash and property (including checks received  
 13 by a licensee, whether collected or not) received by a licensee  
 14 from gambling games, including amounts that are distributed by  
 15 a licensee under IC 4-35-7-12; minus  
 16 (2) the total of:  
 17 (A) all cash paid out to patrons as winnings for gambling  
 18 games; and  
 19 (B) uncollectible gambling game receivables, not to exceed the  
 20 lesser of:  
 21 (i) a reasonable provision for uncollectible patron checks  
 22 received from gambling games; or  
 23 (ii) two percent (2%) of the total of all sums, including  
 24 checks, whether collected or not, less the amount paid out to  
 25 patrons as winnings for gambling games.

26 For purposes of this section, a counter or personal check that is invalid  
 27 or unenforceable under this article is considered cash received by the  
 28 licensee from gambling games.

29 (b) The term does not include amounts received from:

- 30 **(1) sports wagering conducted by a licensee under IC 4-38; or**  
 31 **(2) interactive gaming conducted by a licensee under IC 4-39.**

32 SECTION 12. IC 4-35-2-5, AS AMENDED BY P.L.293-2019,  
 33 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 JULY 1, 2021]: Sec. 5. (a) "Gambling game" means any of the  
 35 following:

- 36 (1) A game played on a slot machine approved for wagering under  
 37 this article by the commission.  
 38 (2) A game played on a slot machine through the use of a mobile  
 39 gaming device approved under this article.  
 40 (3) A table game approved by the commission under  
 41 IC 4-35-7-19.

42 (b) The term does not include:



1 (1) sports wagering conducted under IC 4-38; or

2 (2) **interactive gaming conducted under IC 4-39.**

3 SECTION 13. IC 4-35-8-0.5 IS ADDED TO THE INDIANA CODE  
4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
5 1, 2021]: **Sec. 0.5. This chapter does not apply to the following:**

6 (1) **Sports wagering conducted under IC 4-38.**

7 (2) **Interactive gaming conducted under IC 4-39.**

8 SECTION 14. IC 4-35-8.5-0.5, AS ADDED BY P.L.293-2019,  
9 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 2021]: **Sec. 0.5. This chapter does not apply to sports  
11 wagering conducted under IC 4-38 or interactive gaming conducted  
12 under IC 4-39.**

13 SECTION 15. IC 4-35-11-11, AS ADDED BY P.L.293-2019,  
14 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
15 JULY 1, 2021]: **Sec. 11. This chapter applies to:**

16 (1) sports wagering conducted under IC 4-38; **and**

17 (2) **interactive gaming conducted under IC 4-39;**

18 by a licensee.

19 SECTION 16. IC 4-39 IS ADDED TO THE INDIANA CODE AS  
20 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
21 2021]:

22 **ARTICLE 39. INTERACTIVE GAMING**

23 **Chapter 1. General Provisions**

24 **Sec. 1. Pursuant to 15 U.S.C. 1172, approved January 2, 1951,**  
25 **the state of Indiana, acting by and through duly elected and**  
26 **qualified members of the legislature, does declare and proclaim**  
27 **that the state is exempt from the provisions of 15 U.S.C. 1172.**

28 **Sec. 2. All shipments of gambling devices used to conduct**  
29 **interactive gaming under this article to an operating agent, a**  
30 **licensed owner, or a permit holder in Indiana, the registering,**  
31 **recording, and labeling of which have been completed by the**  
32 **manufacturer or dealer thereof in accordance with 15 U.S.C. 1171**  
33 **through 1178, are legal shipments of gambling devices into**  
34 **Indiana.**

35 **Sec. 3. The commission shall regulate and administer interactive**  
36 **gaming conducted by an interactive gaming licensee or an**  
37 **interactive gaming management service provider under this article.**

38 **Sec. 4. The commission has the following powers and duties for**  
39 **the purpose of administering, regulating, and enforcing the system**  
40 **of interactive gaming authorized under this article:**

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

42 (2) **All powers necessary and proper to fully and effectively**





1 execute this article.

2 **(3) Jurisdiction and supervision over the following:**

3 **(A) All interactive gaming operations in Indiana.**

4 **(B) All persons engaged in offering, conducting, or**  
 5 **participating in interactive gaming under this article.**

6 **(4) Any power specified in IC 4-33 or IC 4-35 concerning the**  
 7 **supervision of persons conducting gambling games, patrons**  
 8 **wagering on gambling games, and the facilities in which**  
 9 **gambling games are conducted.**

10 **(5) To investigate and reinvestigate applicants, interactive**  
 11 **gaming licensees, interactive gaming management service**  
 12 **providers, and other licensees involved with interactive**  
 13 **gaming conducted under this article.**

14 **(6) To investigate alleged violations of this article.**

15 **(7) To revoke, suspend, or renew licenses under this article.**

16 **(8) To take any reasonable or appropriate action to enforce**  
 17 **this article.**

18 **Sec. 5. The commission may do the following:**

19 **(1) Take appropriate administrative enforcement or**  
 20 **disciplinary action against a person who violates this article.**

21 **(2) Conduct hearings.**

22 **(3) Issue subpoenas for the attendance of witnesses and**  
 23 **subpoenas duces tecum for the production of books, records,**  
 24 **and other relevant documents.**

25 **(4) Administer oaths and affirmations to witnesses.**

26 **Chapter 2. Definitions**

27 **Sec. 1. Except as otherwise provided, the definitions set forth in**  
 28 **IC 4-33 and IC 4-35 apply to this article.**

29 **Sec. 2. (a) "Adjusted gross receipts" means the total of all cash**  
 30 **and property (including checks received by an interactive gaming**  
 31 **licensee, whether collected or not) received by an interactive**  
 32 **gaming licensee from interactive gaming; minus the total of:**

33 **(1) all cash paid out as winnings to interactive gaming**  
 34 **patrons, including the cash equivalent of any merchandise or**  
 35 **thing of value awarded as a prize; and**

36 **(2) uncollectible gaming receivables, not to exceed the lesser**  
 37 **of:**

38 **(A) a reasonable provision for uncollectible patron checks**  
 39 **received from interactive games; or**

40 **(B) two percent (2%) of the total of all sums (including**  
 41 **checks, whether collected or not) less the amount paid out**  
 42 **as winnings to interactive gaming patrons.**



1 (b) The term does not include any receipts received under  
2 IC 4-33, IC 4-35, or IC 4-38.

3 Sec. 3. (a) "Interactive game" means an Internet-based version  
4 or substantial equivalent of a gambling game, in which an  
5 individual wagers money or something of monetary value for the  
6 opportunity to win money or something of monetary value, and  
7 which is accessed by an Internet-connected computer or mobile  
8 device. The term includes gaming tournaments conducted via the  
9 Internet in which players compete against one another or in one (1)  
10 or more of the games authorized in this article.

11 (b) The term does not include sports wagering conducted under  
12 IC 4-38 or paid fantasy sports games conducted under IC 4-33-24.

13 (c) The term does not include games played on mobile gaming  
14 devices under IC 4-33-9-17 or IC 4-35-7-1.5 by patrons who are  
15 present in the gaming area of a riverboat or gambling game  
16 facility.

17 Sec. 4. "Interactive gaming" means offering or conducting  
18 interactive games.

19 Sec. 5. "Interactive gaming licensee" means any of the following  
20 persons holding an interactive gaming license issued under this  
21 article:

22 (1) A person holding an owner's license under IC 4-33-6.

23 (2) A person operating a riverboat in accordance with an  
24 operating agent contract entered into under IC 4-33-6.5.

25 (3) A person holding a gambling game license under IC 4-35.

26 Sec. 6. "Interactive gaming operator" means an interactive  
27 gaming licensee that operates an interactive gaming platform or,  
28 if an interactive management services provider operates the  
29 interactive gaming platform, the interactive management services  
30 provider.

31 Sec. 7. "Interactive gaming platform" means the combination  
32 of hardware and software or other technology designed and used  
33 to manage, conduct, and record interactive gaming and the wagers  
34 associated with interactive gaming.

35 Sec. 8. "Interactive gaming skin" means a distinctly branded  
36 interactive gaming platform operated by an interactive gaming  
37 operator, which may encompass a web site, mobile application, or  
38 other portal to the interactive gaming platform. The brand may be  
39 that of the interactive gaming licensee or its affiliate, the  
40 interactive management service provider, or another brand as  
41 agreed upon by the interactive gaming licensee and its interactive  
42 management service provider.



1           **Sec. 9. "Interactive gaming management service provider"**  
 2 **means a licensed business entity that operates an interactive**  
 3 **gaming platform pursuant to an agreement with an interactive**  
 4 **gaming licensee.**

5           **Sec. 10. "Interactive wagering" means the placing of wagers**  
 6 **with an interactive gaming operator by persons who are either**  
 7 **physically present in Indiana when placing a wager or otherwise**  
 8 **permitted to place a wager by law.**

9           **Sec. 11. "Interactive wagering account" means a financial**  
 10 **record established and accessible through an interactive gaming**  
 11 **platform for an individual participant in which the participant**  
 12 **may deposit and withdraw funds for interactive gaming and other**  
 13 **authorized purchases and to which the interactive gaming operator**  
 14 **may credit winnings or other amounts due to that participant or**  
 15 **authorized by that participant.**

16           **Sec. 12. "Permissible jurisdiction" means another jurisdiction**  
 17 **from which wagers may be accepted under IC 4-39-10-1.**

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

21           **Chapter 3. Powers and Duties of the Commission**

22           **Sec. 1. The commission has the same powers and duties with**  
 23 **respect to the offering of interactive gaming as it has with respect**  
 24 **to non-interactive gaming conducted under IC 4-33 and IC 4-35. If**  
 25 **the exercise of a power or duty described in IC 4-33 or IC 4-35 is**  
 26 **incompatible with the offering of gambling games over the Internet**  
 27 **or the provisions of this article, this article prevails.**

28           **Sec. 2. The commission shall adopt emergency rules not more**  
 29 **than sixty (60) days after the effective date of this article to enable**  
 30 **the expedient offering of interactive gaming by interactive gaming**  
 31 **licensees.**

32           **Sec. 3. In adopting rules and regulating the conduct of**  
 33 **interactive gaming, the commission shall to the greatest extent**  
 34 **possible use existing rules applicable to the offering of gambling**  
 35 **games in Indiana and amend existing rules and adopt new rules or**  
 36 **standards only as reasonably necessary to implement interactive**  
 37 **gaming under this article. The commission shall look to the**  
 38 **interactive gaming rules of other regulated jurisdictions in the**  
 39 **United States and shall implement consistent rules to the greatest**  
 40 **extent possible.**

41           **Chapter 4. Interactive Gaming Authorized**

42           **Sec. 1. A person holding an interactive gaming license issued**



1 under this chapter is authorized to conduct interactive gaming  
2 under this article beginning September 1, 2021.

3 **Sec. 2. Beginning July 1, 2021, the commission may accept**  
4 **applications for interactive gaming licenses from any licensed**  
5 **owner, operating agent, or permit holder that wishes to conduct**  
6 **sports wagering under this article. The commission shall prescribe**  
7 **the form of the application.**

8 **Sec. 3. A licensed owner, operating agent, or permit holder that**  
9 **wishes to offer interactive gaming under this article must:**

- 10 (1) submit an application to the commission in the manner  
11 prescribed by the commission; and  
12 (2) pay an initial fee of five hundred thousand dollars  
13 (\$500,000).

14 **Sec. 4. (a) Upon:**

- 15 (1) receipt of the application and fee required by section 3 of  
16 this chapter; and  
17 (2) approving the submitted application;

18 the commission shall issue an interactive gaming license to a  
19 licensed owner, an operating agent, or a permit holder authorizing  
20 the licensed owner, operating agent, or permit holder to conduct  
21 interactive gaming under this article.

22 (b) An interactive gaming license must be renewed annually  
23 upon the payment of an annual administrative fee of fifty thousand  
24 dollars (\$50,000). The fee imposed by this section is due one (1)  
25 year after the date that the interactive gaming licensee commences  
26 interactive gaming operations under this article and on each  
27 annual anniversary date thereafter. The commission shall deposit  
28 the administrative fees received under this section in the  
29 interactive gaming fund established by section 7 of this chapter.

30 **Sec. 5. The commission shall deposit fees received under section**  
31 **3 of this chapter in the interactive gaming fund established by**  
32 **section 7 of this chapter.**

33 **Sec. 6. When considering a person's application for an**  
34 **interactive gaming license, the commission may issue the person a**  
35 **temporary license to conduct business under this article if:**

- 36 (1) the person has filed with the commission:  
37 (A) a completed application; or  
38 (B) a substantially complete application as determined by  
39 the commission; and  
40 (2) the person agrees in writing to the following conditions of  
41 the temporary license issued under this section:  
42 (A) The temporary license does not create a right or



1 privilege to continue conducting business under this article  
 2 if the person's application for an interactive gaming license  
 3 to conduct interactive gaming is rejected by the  
 4 commission.

5 (B) The commission may rescind the person's temporary  
 6 license to do business under this article at any time, with or  
 7 without notice to the person, if:

8 (i) the commission is informed that the suitability of the  
 9 person may be at issue; and

10 (ii) the person fails to cooperate with the commission in  
 11 the commission's investigation into the qualifications and  
 12 suitability of the person for an interactive gaming  
 13 license.

14 **Sec. 7. (a) The interactive gaming fund is established.**

15 **(b) The commission shall administer the fund.**

16 **(c) The fund consists of the following:**

17 **(1) Initial fees deposited in the fund under section 5 of this**  
 18 **chapter.**

19 **(2) Annual administrative fees deposited in the fund under**  
 20 **section 4 of this chapter.**

21 **(3) Fees deposited in the fund under IC 4-39-7-2, IC 4-39-7-3,**  
 22 **or IC 4-39-7-4.**

23 **(d) The expenses of administering the fund shall be paid from**  
 24 **the fund.**

25 **(e) The treasurer of state shall invest the money in the fund not**  
 26 **currently needed to meet the obligations of the fund in the same**  
 27 **manner that other public money may be invested. Interest that**  
 28 **accrues from these investments shall be deposited in the fund.**

29 **(f) Money in the fund at the end of a state fiscal year does not**  
 30 **revert to the state general fund.**

31 **(g) Money in the fund is continuously appropriated to the**  
 32 **commission for the purpose of administering this article.**

33 **Sec. 8. An interactive gaming licensee may offer no more than**  
 34 **three (3) individually branded interactive gaming skins. The**  
 35 **interactive gaming licensee may operate the platforms or contract**  
 36 **with up to three (3) interactive management service providers to**  
 37 **conduct interactive gaming in accordance with the rules of the**  
 38 **commission and this article.**

39 **Sec. 9. The primary server or servers for an interactive gaming**  
 40 **platform must be located within a facility that is secure and**  
 41 **inaccessible to the public. The primary server or servers may be**  
 42 **located anywhere in the United States that is in compliance with**



1 federal law. The intermediate routing of electronic data in  
 2 connection with interactive gaming, including across state lines,  
 3 does not determine the location or locations in which a wager is  
 4 initiated, received, or otherwise made.

5 Sec. 10. An interactive gaming licensee, and any interactive  
 6 management service providers conducting interactive gaming  
 7 under an agreement with the interactive gaming licensee, may only  
 8 offer an interactive game that is an interactive-based version or  
 9 substantial equivalent of a gambling game that the interactive  
 10 gaming licensee is authorized to offer at its riverboat under IC 4-33  
 11 or its racetrack under IC 4-35.

12 **Chapter 5. Interactive Gaming Platform Requirements**

13 **Sec. 1. An interactive gaming operator may accept wagers on an**  
 14 **interactive gaming platform only if:**

- 15 (1) the wager is placed directly with the interactive gaming  
 16 operator through an interactive wagering account; and  
 17 (2) the interactive gaming operator has verified that the  
 18 person placing the wager is:  
 19 (A) at least twenty-one (21) years of age;  
 20 (B) the holder of the interactive wagering account; and  
 21 (C) physically located within Indiana or a permissible  
 22 jurisdiction using technology meeting the requirements of  
 23 this chapter.

24 **Sec. 2. (a) An interactive gaming platform must include age and**  
 25 **location verification mechanisms and requirements that are**  
 26 **designed to prevent an individual who is:**

- 27 (1) less than twenty-one (21) years of age;  
 28 (2) not physically located within Indiana or a permissible  
 29 jurisdiction; or  
 30 (3) otherwise excluded from interactive gaming;

31 **from establishing an interactive wagering account or from**  
 32 **engaging in interactive gaming under this article.**

33 **(b) The internal controls of an interactive gaming platform must**  
 34 **include mechanisms to do the following:**

- 35 (1) Verify that an interactive gaming patron is at least  
 36 twenty-one (21) years of age.  
 37 (2) Ensure that wagering on interactive games is limited to  
 38 transactions that are initiated and received within Indiana or  
 39 a permissible jurisdiction.  
 40 (3) Verify that an interactive gaming patron is physically  
 41 located within Indiana or a permissible jurisdiction.

42 **(c) The interactive gaming platform's age, location, and**



1 eligibility detection mechanisms must monitor attempts to access  
 2 the system and must use commercially reasonable attempts to  
 3 block unauthorized attempts to access the system.

4 **Sec. 3.** An interactive gaming operator shall implement  
 5 appropriate data security standards to prevent unauthorized  
 6 access by any person whose identity has not been verified or cannot  
 7 be verified, in accordance with rules adopted by the commission.  
 8 The interactive gaming platform's identity verification mechanisms  
 9 must monitor attempts to access the system and must use  
 10 commercially reasonable attempts to block unauthorized attempts  
 11 to access the system by any person seeking access to a wagering  
 12 account held by another person.

13 **Sec. 4.** An interactive gaming operator shall implement  
 14 appropriate standards to protect the privacy and security of  
 15 participants to a reasonable degree of certainty. Interactive gaming  
 16 operators shall establish and offer participants the option to  
 17 protect their accounts with multifactor authentication or  
 18 authentication features such as personal identification numbers or  
 19 biometric data.

20 **Sec. 5.** An interactive gaming licensee shall establish internal  
 21 and accounting controls applicable to interactive gaming, and shall  
 22 ensure that the security and integrity of all financial transactions  
 23 in connection with interactive gaming shall comply with this article  
 24 and any rules promulgated by the commission.

25 **Sec. 6.** An interactive gaming licensee shall:

- 26 (a) collect, report, and pay all applicable taxes and fees; and
- 27 (b) maintain all books, records, and documents pertaining to
- 28 the licensee's interactive gaming operations in a manner and
- 29 at a location within Indiana approved by the commission.

30 **Sec. 7.** All books, records, and documents concerning interactive  
 31 gaming must be available for inspection upon commercially  
 32 reasonable notice by the commission during ordinary business  
 33 hours in accordance with the commission's regulations, and must  
 34 be maintained in a manner and during periods of time as the  
 35 commission requires.

36 **Chapter 6. Interactive Wagering Account Requirements**

37 **Sec. 1.** A person who is less than twenty-one (21) years of age  
 38 may not wager under this article.

39 **Sec. 2. (a)** An eligible person may establish an interactive  
 40 wagering account:

- 41 (1) in person at a riverboat or racetrack; or
- 42 (2) over the Internet without appearing in person.



1 (b) An interactive gaming operator shall adopt reasonable  
 2 procedures to ensure that an eligible person establishes not more  
 3 than one (1) interactive wagering account with the interactive  
 4 gaming operator.

5 **Sec. 3.** An interactive gaming patron may deposit and withdraw  
 6 funds from the patron's interactive wagering account:

- 7 (1) in person at a riverboat or racetrack;  
 8 (2) over the Internet through electronic means, including  
 9 through the use of:  
 10 (A) debit and credit cards;  
 11 (B) automated clearing house transfers; or  
 12 (C) wire transfers;  
 13 (3) through the use of deposits and withdrawals of cash or  
 14 gaming chips at cashiering locations approved by the  
 15 commission;  
 16 (4) through the use of reliable prepaid cards, cash  
 17 complimentary, promotional credits, or bonus credits; or  
 18 (5) through any other means approved by the commission.

19 **Sec. 4.** An interactive gaming operator shall maintain within its  
 20 internal controls mechanisms and procedures for detecting  
 21 unauthorized access to interactive wagering accounts,  
 22 unauthorized attempts to access interactive wagering accounts, and  
 23 suspicious interactive wagering activity constituting cheating, theft,  
 24 embezzlement, collusion, money laundering, and other illegal  
 25 activity.

26 **Chapter 7. Other License and Integrity Requirements**

27 **Sec. 1.** A person may not obtain any of the following required  
 28 for conducting business under this article unless the person meets  
 29 the suitability requirements determined by the commission:

- 30 (1) An interactive gaming license.  
 31 (2) An interactive management service provider license.  
 32 (3) A supplier's license.  
 33 (4) An occupational license.

34 **Sec. 2. (a)** A person may apply for an interactive gaming  
 35 management service provider license in the form required by the  
 36 commission. The commission may provide an abbreviated  
 37 application for a person that holds or has a pending application for  
 38 a management service provider license for sports wagering or  
 39 other types of gaming under Indiana law. To obtain an interactive  
 40 gaming management service provider license under this article, an  
 41 applicant must pay to the commission a license fee of one hundred  
 42 thousand dollars (\$100,000).





1           (b) An interactive management service provider license issued  
2 under this section is valid for one (1) year and may be renewed  
3 upon payment of a renewal fee of twenty-five thousand dollars  
4 (\$25,000).

5           (c) The commission shall deposit fees received under this section  
6 in the interactive gaming fund established by IC 4-39-4-7.

7           **Sec. 3. (a) An interactive gaming platform and all technology**  
8 **used to conducting interactive gaming must be:**

9                   (1) approved by the commission; and

10                   (2) acquired by an interactive gaming operator from a person  
11 holding a supplier's license or an interactive gaming  
12 management service provider license.

13           (b) The commission shall determine whether other supplies and  
14 equipment used to conduct sports wagering require an interactive  
15 gaming licensee to acquire the supplies and equipment from a  
16 person holding a supplier's license or an interactive gaming  
17 management service provider license. The commission shall deposit  
18 any license fees collected under this section in the interactive  
19 gaming fund established by IC 4-39-4-7.

20           (c) IC 4-33-7 applies to the conduct of interactive gaming under  
21 this article and the acquisition of the technology, equipment, and  
22 supplies necessary to conduct interactive gaming.

23           **Sec. 4. The commission shall determine the occupations related**  
24 **to interactive gaming that require an occupational license.**  
25 **IC 4-33-8 applies to the conduct of interactive gaming under this**  
26 **article. The commission shall deposit any license fees collected**  
27 **under this section in the interactive gaming fund established by**  
28 **IC 4-39-4-7.**

29           **Sec. 5. An interactive gaming operator shall conduct:**

30                   (1) background checks on newly hired employees engaged in  
31 activities related to the conducting of interactive gaming; and

32                   (2) annual background checks on all existing employees  
33 engaged in activities related to the conducting of interactive  
34 gaming.

35           A background check conducted under this section must include a  
36 search for criminal history and any charges or convictions  
37 involving corruption, identity theft, the manipulation of sporting  
38 events, and any association with organized crime.

39           **Sec. 6. The commission may require a background investigation**  
40 **of any officer, director, or shareholder holding at least five percent**  
41 **(5%) of the equity interests of an applicant for a license described**  
42 **in this chapter. The commission may recover the actual costs of an**



1 investigation conducted under this section from the applicant. The  
2 commission may accept a background investigation conducted by  
3 another state with licensing standards similar to those established  
4 under this article and the rules of the commission.

5 **Chapter 8. Responsible Interactive Gaming**

6 **Sec. 1. (a)** The commission shall develop responsible interactive  
7 gaming measures, including a statewide responsible gaming data  
8 base identifying individuals who are prohibited from establishing  
9 an interactive wagering account or participating in interactive  
10 gaming offered by an interactive gaming operator. The commission  
11 shall adopt rules for the establishment and maintenance of the  
12 responsible gaming data base.

13 **(b)** The commission shall maintain the responsible gaming data  
14 base in a confidential manner. Notwithstanding any law to the  
15 contrary, an individual's self-exclusion election and the  
16 information contained in the responsible gaming data base are  
17 confidential for purposes of IC 5-14-3.

18 **Sec. 2. (a)** The commission shall adopt rules to establish and  
19 implement a voluntary exclusion program for interactive gaming  
20 under this article that meets the requirements of subsection (b).

21 **(b)** Rules adopted under subsection (a) must provide the  
22 following:

23 **(1)** Except as provided by rule of the commission, a person  
24 who participates in the voluntary exclusion program agrees  
25 to refrain from participating in interactive gaming offered by  
26 any person authorized to conduct interactive gaming by this  
27 article.

28 **(2)** That the name of a person participating in the program  
29 will be included on a list of persons excluded from all  
30 interactive gaming platforms under the jurisdiction of the  
31 commission.

32 **(3)** Except as provided by rule of the commission, a person  
33 who participates in the voluntary exclusion program may not  
34 petition the commission for permission to participate in  
35 interactive gaming on any interactive gaming platform under  
36 the jurisdiction of the commission.

37 **(4)** That the list of patrons entering the voluntary exclusion  
38 program and the personal information of the participants are  
39 confidential and may only be disseminated by the commission  
40 to an interactive gaming operator under the jurisdiction of the  
41 commission for purposes of enforcement and to other entities,  
42 upon request by the participant and agreement by the



- 1           **commission.**
- 2           **(5) That an interactive gaming operator under the jurisdiction**
- 3           **of the commission shall make all reasonable attempts as**
- 4           **determined by the commission to cease all direct marketing**
- 5           **efforts to a person participating in the program.**
- 6           **(6) That an interactive gaming operator under the jurisdiction**
- 7           **of the commission may not cash the check of a person**
- 8           **participating in the program, deposit money in an interactive**
- 9           **wagering account belonging to the person, or extend credit to**
- 10          **the person in any manner. However, the voluntary exclusion**
- 11          **program does not preclude an owner from seeking the**
- 12          **payment of a debt accrued by a person before entering the**
- 13          **program.**
- 14          **Sec. 3. (a) The commission may authorize the ejection or**
- 15          **exclusion of a person from an interactive gaming platform if:**
- 16               **(1) the person's name is on the list of persons voluntarily**
- 17               **excluding themselves from interactive gaming in a program**
- 18               **established under the rules of the commission;**
- 19               **(2) the person violates this article; or**
- 20               **(3) the commission determines that the person's conduct or**
- 21               **reputation is such that the person's presence on an interactive**
- 22               **gaming platform may:**
- 23                       **(A) call into question the honesty and integrity of the**
- 24                       **gambling operations; or**
- 25                       **(B) interfere with the orderly conduct of the gambling**
- 26                       **operations.**
- 27          **(b) A person, other than a person participating in a voluntary**
- 28          **exclusion program, may petition the commission for a hearing on**
- 29          **the person's ejection or exclusion under this section.**
- 30          **Sec. 4. Each interactive gaming platform must conspicuously**
- 31          **display the number of the toll free telephone line described in**
- 32          **IC 4-33-12-9 so that it is accessible to any person visiting or**
- 33          **initially logging into the interactive gaming platform and to**
- 34          **account holders who log onto the interactive gaming platform.**
- 35          **Sec. 5. (a) Each interactive gaming platform must include**
- 36          **mechanisms for temporary and permanent self-exclusion from**
- 37          **interactive gaming, including the following:**
- 38               **(1) Termination of the interactive wagering account of an**
- 39               **interactive gaming patron.**
- 40               **(2) A deposit limit offered on a daily, weekly, and monthly**
- 41               **basis that allows an interactive gaming patron to specify the**
- 42               **maximum amount of money the patron can deposit into the**



1 patron's interactive wagering account during the particular  
2 time period.

3 (3) A spend limit offered on a daily, weekly, and monthly basis  
4 that allows an interactive gaming patron to specify the  
5 maximum amount of the deposits that the patron may put at  
6 risk during the particular time period.

7 (b) Self-imposed wagering or deposit limits take effect  
8 immediately. However, if an interactive gaming patron makes an  
9 increase to a previously imposed limit, the increase does not take  
10 effect until the expiration of the previously imposed limit per the  
11 terms of the participant's original election.

12 (c) An interactive gaming licensee may not knowingly mail or  
13 otherwise forward any gaming-related promotional materials or  
14 electronic mail to an interactive wagering account holder during  
15 any period in which the account holder has elected to temporarily  
16 or permanently suspend or terminate interactive gaming through  
17 the account.

18 Sec. 6. An individual holding an interactive wagering account  
19 must continue to have access to the interactive wagering account  
20 and the ability to withdraw funds, notwithstanding any temporary  
21 or permanent suspension or limits placed upon the account under  
22 this chapter.

### 23 Chapter 9. Interactive Gaming Tax

24 Sec. 1. An interactive gaming tax is imposed on the adjusted  
25 gross receipts received from authorized interactive gaming offered  
26 by an interactive gaming licensee under this article at a rate of  
27 eighteen percent (18%).

28 Sec. 2. An interactive gaming licensee shall do the following:

29 (1) Remit the daily amount of interactive gaming taxes  
30 imposed under section 1 of this chapter to the department on  
31 the twenty-fourth calendar day of each month. Any taxes  
32 collected during the month but after the day on which the  
33 taxes are required to be paid must be paid to the department  
34 at the same time the following month's taxes are due.

35 (2) Report gaming activity information to the commission  
36 daily on forms prescribed by the commission.

37 Sec. 3. (a) As used in this section, "qualified wagering" refers to  
38 wagers made by patrons using noncashable vouchers, coupons,  
39 electronic credits, or electronic promotions provided by the  
40 interactive gaming licensee.

41 (b) Subject to subsection (c), an interactive gaming licensee may  
42 at any time during a state fiscal year deduct from the adjusted



1 gross receipts reported by the interactive gaming licensee adjusted  
 2 gross receipts attributable to qualified wagering. An interactive  
 3 gaming licensee must take a deduction under this section on a form  
 4 and in the manner prescribed by the department.

5 (c) For each state fiscal year, an interactive gaming licensee may  
 6 not deduct more than ten million dollars (\$10,000,000) for the  
 7 qualified wagering conducted with respect to each interactive  
 8 gaming skin operated by the interactive gaming licensee under an  
 9 agreement with an interactive gaming management service  
 10 provider.

11 **Sec. 4. (a)** The department shall deposit the tax revenue  
 12 collected under section 2 of this chapter as follows:

13 (1) Five-sixths (5/6) of the amount collected from each  
 14 interactive gaming licensee in the state general fund.

15 (2) One-sixth (1/6) of the amount collected from each  
 16 interactive gaming licensee in the revenue sharing account  
 17 established under section 7 of this chapter.

18 (b) On July 15 of each year, the department shall transfer an  
 19 amount equal to three and thirty-three hundredths percent  
 20 (3.33%) of the tax revenue deposited into the state general fund  
 21 under subsection (a)(1) in the previous state fiscal year to the  
 22 addiction services fund established by IC 12-23-2-2.

23 (c) Twenty-five percent (25%) of the tax revenue transferred  
 24 under subsection (b) must be allocated to:

25 (1) the prevention of;

26 (2) education regarding;

27 (3) provider credentialing of professionals engaged in the  
 28 treatment and prevention of; and

29 (4) the treatment of;

30 compulsive gambling.

31 **Sec. 5.** The commission may suspend or revoke the interactive  
 32 gaming license of an interactive gaming licensee that does not  
 33 submit the payment or the tax return form within the required  
 34 time.

35 **Sec. 6.** The payment of the tax under this chapter must be on a  
 36 form and in a manner prescribed by the department.

37 **Sec. 7. (a)** As used in this section, "casino" refers to a riverboat  
 38 operated under IC 4-33 or a gambling game facility operated  
 39 under IC 4-35.

40 (b) The revenue sharing account is established within the state  
 41 general fund. The auditor of state shall administer the fund.

42 (c) If an interactive gaming licensee operates more than one (1)



1 casino in Indiana, the taxes paid under this chapter by the  
 2 interactive gaming licensee must be attributed in equal amounts to  
 3 each of the casinos operated by the interactive gaming licensee for  
 4 purposes of making revenue sharing distributions under subsection  
 5 (d).

6 (d) On July 15 of each year, the auditor of state shall distribute  
 7 money deposited into the revenue sharing account in the previous  
 8 state fiscal year as follows:

9 (1) For each interactive gaming licensee operating a casino  
 10 located in a city, the auditor state shall distribute the money  
 11 deposited in the account attributable to taxes paid under this  
 12 chapter by the interactive gaming licensee's casino as follows:

13 (A) Fifty percent (50%) to the city in which the interactive  
 14 gaming licensee's casino is located.

15 (B) Fifty percent (50%) to the county in which the  
 16 interactive gaming licensee's casino is located.

17 (2) For each interactive gaming licensee operating a casino  
 18 that is not located in a city, the auditor state shall distribute  
 19 one hundred percent (100%) of the money deposited in the  
 20 account attributable to taxes paid under this chapter by the  
 21 interactive gaming licensee's casino to the county in which the  
 22 casino is located.

23 **Sec. 8. Money paid to a city or county under section 7 of this**  
 24 **chapter:**

25 (1) must be paid to the fiscal officer of the city or county and  
 26 must be deposited in the city or county's general fund;

27 (2) may not be used to reduce the city or county's maximum  
 28 levy under IC 6-1.1 but may be used at the discretion of the  
 29 city or county to reduce the property tax levy of the city or  
 30 county for a particular year;

31 (3) may be used for any purpose specified in this chapter or  
 32 for any other legal or corporate purpose of the city or county,  
 33 including the pledge of money to bonds, leases, or other  
 34 obligations under IC 5-1-14-4; and

35 (4) is considered miscellaneous revenue.

36 **Chapter 10. Acceptance of Out-of-State Wagers**

37 **Sec. 1. Notwithstanding any other provision of law to the**  
 38 **contrary, wagers may be accepted under this article from persons**  
 39 **who are not physically present in Indiana if the commission has**  
 40 **determined that:**

41 (1) accepting the wagers is not inconsistent with federal law or  
 42 the law of the jurisdiction in which the person placing the



1 wagers is located; or

2 (2) the wagering is conducted pursuant to a reciprocal  
3 agreement to which Indiana is a party that is not inconsistent  
4 with federal law.

5 **Chapter 11. Child Support**

6 **Sec. 1. The bureau shall provide information to an interactive**  
7 **gaming licensee concerning persons who are delinquent in child**  
8 **support.**

9 **Sec. 2. Before disbursing a payout of six hundred dollars (\$600)**  
10 **or more, in winnings, from interactive gaming to a person who is**  
11 **delinquent in child support and who is claiming the winning**  
12 **interactive gaming wager, the interactive gaming licensee:**

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 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 of the interactive gaming  
28 licensee; 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 **Sec. 3. (a) The bureau shall notify the obligor at the address**  
33 **provided by the interactive gaming licensee that the bureau intends**  
34 **to offset the obligor's delinquent child support with the winnings.**

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

38 **Sec. 4. The delinquent child support required to be withheld**  
39 **under this section and an administrative fee described under**  
40 **section 2(1) of this chapter have priority over any secured or**  
41 **unsecured claim on winnings except claims for federal or state**  
42 **taxes that are required to be withheld under federal or state law.**



1           **Sec. 5. IC 4-31-6-11, IC 4-33-8.5, and IC 4-35-6.7 apply, as**  
 2 **appropriate, to persons licensed under this article for the conduct**  
 3 **of interactive gaming.**

4           SECTION 17. IC 31-25-4-32, AS AMENDED BY P.L.150-2018,  
 5 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 JULY 1, 2021]: Sec. 32. (a) When the Title IV-D agency finds that an  
 7 obligor is delinquent, the Title IV-D agency shall send, to a verified  
 8 address, a notice to the obligor that does the following:

- 9           (1) Specifies that the obligor is delinquent.  
 10           (2) Describes the amount of child support that the obligor is in  
 11           arrears.  
 12           (3) States that unless the obligor:  
 13               (A) pays the obligor's child support arrearage in full;  
 14               (B) establishes a payment plan with the Title IV-D agency to  
 15               pay the arrearage, which includes an income withholding  
 16               order; or  
 17               (C) requests a hearing under section 33 of this chapter;  
 18           within twenty (20) days after the date the notice is mailed, the  
 19           Title IV-D agency shall issue an order to the bureau of motor  
 20           vehicles stating that the obligor is delinquent and that the  
 21           obligor's driving privileges shall be suspended.  
 22           (4) Explains that the obligor has twenty (20) days after the notice  
 23           is mailed to do one (1) of the following:  
 24               (A) Pay the obligor's child support arrearage in full.  
 25               (B) Establish a payment plan with the Title IV-D agency to  
 26               pay the arrearage, which includes an income withholding order  
 27               under IC 31-16-15-2 or IC 31-16-15-2.5.  
 28               (C) Request a hearing under section 33 of this chapter.  
 29           (5) Explains that if the obligor has not satisfied any of the  
 30           requirements of subdivision (4) not later than twenty (20) days  
 31           after the notice is mailed, that the Title IV-D agency shall issue a  
 32           notice to:  
 33               (A) the board or department that regulates the obligor's  
 34               profession or occupation, if any, that the obligor is delinquent  
 35               and that the obligor may be subject to sanctions under  
 36               IC 25-1-1.2, including suspension or revocation of the  
 37               obligor's professional or occupational license;  
 38               (B) the supreme court disciplinary commission if the obligor  
 39               is licensed to practice law;  
 40               (C) the department of education established by IC 20-19-3-1  
 41               if the obligor is a licensed teacher;  
 42               (D) the Indiana horse racing commission if the obligor holds





- 1 or applies for a license issued under IC 4-31-6;  
 2 (E) the Indiana gaming commission if the obligor holds or  
 3 applies for a license issued under IC 4-33, ~~and~~ IC 4-35,  
 4 **IC 4-38, or IC 4-39;**  
 5 (F) the commissioner of the department of insurance if the  
 6 obligor holds or is an applicant for a license issued under  
 7 IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3;  
 8 (G) the director of the department of natural resources if the  
 9 obligor holds or is an applicant for a license issued by the  
 10 department of natural resources under:  
 11 (i) IC 14-22-12 (fishing, hunting, and trapping licenses);  
 12 (ii) IC 14-22-14 (Lake Michigan commercial fishing  
 13 license);  
 14 (iii) IC 14-22-16 (bait dealer's license);  
 15 (iv) IC 14-22-17 (mussel license);  
 16 (v) IC 14-22-19 (fur buyer's license);  
 17 (vi) IC 14-24-7 (nursery dealer's license); or  
 18 (vii) IC 14-31-3 (ginseng dealer's license); or  
 19 (H) the alcohol and tobacco commission if the obligor holds or  
 20 applies for an employee's permit under IC 7.1-3-18-9(a)(3).  
 21 (6) Explains that the only basis for contesting the issuance of an  
 22 order under subdivision (3) or (5) is a mistake of fact.  
 23 (7) Explains that an obligor may contest the Title IV-D agency's  
 24 determination to issue an order under subdivision (3) or (5) by  
 25 making written application to the Title IV-D agency not later than  
 26 twenty (20) days after the date the notice is mailed.  
 27 (8) Explains the procedures to:  
 28 (A) pay the obligor's child support arrearage in full; and  
 29 (B) establish a payment plan with the Title IV-D agency to pay  
 30 the arrearage, which must include an income withholding  
 31 order under IC 31-16-15-2 or IC 31-16-15-2.5.  
 32 (b) Whenever the Title IV-D agency finds that an obligor is  
 33 delinquent and has failed to:  
 34 (1) pay the obligor's child support arrearage in full;  
 35 (2) establish a payment plan with the Title IV-D agency to pay the  
 36 arrearage, which includes an income withholding order under  
 37 IC 31-16-15-2 or IC 31-16-15-2.5; or  
 38 (3) request a hearing under section 33 of this chapter not later  
 39 than twenty (20) days after the date the notice described in  
 40 subsection (a) is mailed;  
 41 the Title IV-D agency shall issue an order to the bureau of motor  
 42 vehicles stating that the obligor is delinquent.



- 1 (c) An order issued under subsection (b) must require the following:  
 2 (1) If the obligor who is the subject of the order holds a driving  
 3 license or permit on the date the order is issued, that the driving  
 4 privileges of the obligor be suspended until further order of the  
 5 Title IV-D agency.  
 6 (2) If the obligor who is the subject of the order does not hold a  
 7 driving license or permit on the date the order is issued, that the  
 8 bureau of motor vehicles may not issue a driving license or permit  
 9 to the obligor until the bureau of motor vehicles receives a further  
 10 order from the Title IV-D agency.
- 11 (d) The Title IV-D agency shall provide the:  
 12 (1) full name;  
 13 (2) date of birth;  
 14 (3) verified address; and  
 15 (4) Social Security number or driving license number;  
 16 of the obligor to the bureau of motor vehicles.
- 17 (e) Whenever the Title IV-D agency finds that an obligor who is an  
 18 applicant (as defined in IC 25-1-1.2-1) or a practitioner (as defined in  
 19 IC 25-1-1.2-6) is delinquent and the applicant or practitioner has failed  
 20 to:  
 21 (1) pay the obligor's child support arrearage in full;  
 22 (2) establish a payment plan with the Title IV-D agency to pay the  
 23 arrearage, which includes an income withholding order under  
 24 IC 31-16-15-2 or IC 31-16-15-2.5; or  
 25 (3) request a hearing under section 33 of this chapter;  
 26 the Title IV-D agency shall issue an order to the board regulating the  
 27 practice of the obligor's profession or occupation stating that the  
 28 obligor is delinquent.
- 29 (f) An order issued under subsection (e) must direct the board or  
 30 department regulating the obligor's profession or occupation to impose  
 31 the appropriate sanctions described under IC 25-1-1.2.
- 32 (g) Whenever the Title IV-D agency finds that an obligor who is an  
 33 attorney or a licensed teacher is delinquent and the attorney or licensed  
 34 teacher has failed to:  
 35 (1) pay the obligor's child support arrearage in full;  
 36 (2) establish a payment plan with the Title IV-D agency to pay the  
 37 arrearage, which includes an income withholding order under  
 38 IC 31-16-15-2 or IC 31-16-15-2.5; or  
 39 (3) request a hearing under section 33 of this chapter;  
 40 the Title IV-D agency shall notify the supreme court disciplinary  
 41 commission if the obligor is an attorney, or the department of education  
 42 if the obligor is a licensed teacher, that the obligor is delinquent.



1 (h) Whenever the Title IV-D agency finds that an obligor who holds  
 2 a license issued under IC 4-31-6, IC 4-33, ~~or~~ IC 4-35, **IC 4-38, or**  
 3 **IC 4-39** has failed to:

- 4 (1) pay the obligor's child support arrearage in full;  
 5 (2) establish a payment plan with the Title IV-D agency to pay the  
 6 arrearage, which includes an income withholding order under  
 7 IC 31-16-15-2 or IC 31-16-15-2.5; or  
 8 (3) request a hearing under section 33 of this chapter;

9 the Title IV-D agency shall issue an order to the Indiana horse racing  
 10 commission if the obligor holds a license issued under IC 4-31-6, or to  
 11 the Indiana gaming commission if the obligor holds a license issued  
 12 under IC 4-33, ~~or~~ IC 4-35, **IC 4-38, or IC 4-39** stating that the obligor  
 13 is delinquent and directing the commission to impose the appropriate  
 14 sanctions described in IC 4-31-6-11, IC 4-33-8.5-3, or IC 4-35-6.7-2.

15 (i) Whenever the Title IV-D agency finds that an obligor who holds  
 16 a license issued under IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3 has  
 17 failed to:

- 18 (1) pay the obligor's child support arrearage in full;  
 19 (2) establish a payment plan with the Title IV-D agency to pay the  
 20 arrearage, which includes an income withholding order under  
 21 IC 31-16-15-2 or IC 31-16-15-2.5; or  
 22 (3) request a hearing under section 33 of this chapter;

23 the Title IV-D agency shall issue an order to the commissioner of the  
 24 department of insurance stating that the obligor is delinquent and  
 25 directing the commissioner to impose the appropriate sanctions  
 26 described in IC 27-1-15.6-29 or IC 27-10-3-20.

27 (j) Whenever the Title IV-D agency finds that an obligor who holds  
 28 a license issued by the department of natural resources under  
 29 IC 14-22-12, IC 14-22-14, IC 14-22-16, IC 14-22-17, IC 14-22-19,  
 30 IC 14-24-7, or IC 14-31-3 has failed to:

- 31 (1) pay the obligor's child support arrearage in full;  
 32 (2) establish a payment plan with the Title IV-D agency to pay the  
 33 arrearage, which includes an income withholding order under  
 34 IC 31-16-15-2 or IC 31-16-15-2.5; or  
 35 (3) request a hearing under section 33 of this chapter;

36 the Title IV-D agency shall issue an order to the director of the  
 37 department of natural resources stating that the obligor is delinquent  
 38 and directing the director to suspend or revoke a license issued to the  
 39 obligor by the department of natural resources as provided in  
 40 IC 14-11-3.

41 (k) If the Title IV-D agency finds that an obligor who holds an  
 42 employee's permit issued under IC 7.1-3-18-9(a)(3) has failed to:



- 1 (1) pay the obligor's child support arrearage in full;  
 2 (2) establish a payment plan with the Title IV-D agency to pay the  
 3 arrearage, which includes an income withholding order under  
 4 IC 31-16-15-2 or IC 31-16-15-2.5; or  
 5 (3) request a hearing under section 33 of this chapter;  
 6 the Title IV-D agency shall issue an order to the alcohol and tobacco  
 7 commission stating that the obligor is delinquent and directing the  
 8 alcohol and tobacco commission to impose the appropriate sanctions  
 9 under IC 7.1-3-23-44.
- 10 (l) A person's most recent address on file with the bureau constitutes  
 11 a verified address for purposes of this section.
- 12 (m) When an obligor who was the subject of an order issued by the  
 13 Title IV-D agency under subsection (b), (e), (g), (h), (i), (j), or (k) has:  
 14 (1) paid the obligor's child support arrearage in full; or  
 15 (2) established a payment plan with the Title IV-D agency to pay  
 16 the arrearage, which includes an income withholding order under  
 17 IC 31-16-15-2 or IC 31-16-15-2.5;  
 18 the Title IV-D agency shall provide notice to the appropriate entity  
 19 under subsection (b), (e), (g), (h), (i), (j), or (k) that the obligor has  
 20 addressed the delinquency.
- 21 SECTION 18. IC 31-25-4-34, AS AMENDED BY P.L.150-2018,  
 22 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2021]: Sec. 34. (a) As used in this section, "board" has the  
 24 meaning set forth in IC 25-1-1.2-2.
- 25 (b) If an obligor holds a license issued by a board and requests a  
 26 hearing under section 33 of this chapter but fails to appear or appears  
 27 and is found to be delinquent, the Title IV-D agency shall issue an  
 28 order to the board that issued the obligor's license:  
 29 (1) stating that the obligor is delinquent; and  
 30 (2) requiring the board to comply with the actions required under  
 31 IC 25-1-1.2-8.
- 32 (c) If an obligor holds a license issued under IC 4-31-6, IC 4-33, ~~or~~  
 33 IC 4-35, **IC 4-38, or IC 4-39** and requests a hearing under section 33  
 34 of this chapter but fails to appear or appears and is found to be  
 35 delinquent, the Title IV-D agency shall issue an order to the:  
 36 (1) Indiana horse racing commission, if the obligor holds a license  
 37 issued under IC 4-31-6; or  
 38 (2) Indiana gaming commission, if the obligor holds a license  
 39 issued under IC 4-33, ~~or~~ IC 4-35, **IC 4-38, or IC 4-39**;  
 40 stating that the obligor is delinquent and requiring the commission to  
 41 comply with the actions required under IC 4-31-6-11, IC 4-33-8.5-3, or  
 42 IC 4-35-6.7-2.



1 (d) If an obligor holds a license issued under IC 27-1-15.6,  
 2 IC 27-1-15.8, or IC 27-10-3 and requests a hearing under section 33 of  
 3 this chapter but fails to appear or appears and is found to be delinquent,  
 4 the Title IV-D agency shall issue an order to the commissioner of the  
 5 department of insurance:

- 6 (1) stating that the obligor is delinquent; and  
 7 (2) requiring the commissioner to comply with the actions  
 8 required under IC 27-1-15.6-29 or IC 27-10-3-20.

9 (e) If an obligor holds a license issued by the department of natural  
 10 resources under IC 14-22-12, IC 14-22-14, IC 14-22-16, IC 14-22-17,  
 11 IC 14-22-19, IC 14-24-7, or IC 14-31-3 and requests a hearing under  
 12 section 33 of this chapter but fails to appear, or appears and is found to  
 13 be delinquent, the Title IV-D agency shall issue an order to the director  
 14 of the department of natural resources:

- 15 (1) stating that the obligor is delinquent; and  
 16 (2) requiring the director to suspend or revoke a license issued by  
 17 the department as provided in IC 14-11-3.

18 (f) If an obligor:

- 19 (1) holds an employee's permit issued under IC 7.1-3-18-9(a)(3);  
 20 and  
 21 (2) requests a hearing under section 33 of this chapter but fails to  
 22 appear or appears and is found to be delinquent;

23 the Title IV-D agency shall issue an order to the alcohol and tobacco  
 24 commission stating that the obligor is delinquent and requiring the  
 25 commission to impose the appropriate sanctions under IC 7.1-3-23-44.

26 (g) When an obligor who was the subject of an order issued by the  
 27 Title IV-D agency under subsection (b), (c), (d), (e), or (f) has:

- 28 (1) paid the obligor's child support arrearage in full; or  
 29 (2) established a payment plan with the Title IV-D agency to pay  
 30 the arrearage, which includes an income withholding order under  
 31 IC 31-16-15-2 or IC 31-16-15-2.5;

32 the Title IV-D agency shall provide notice to the appropriate entity  
 33 under subsection (b), (c), (d), (e), or (f) that the obligor has addressed  
 34 the delinquency.

35 SECTION 19. IC 35-45-5-15 IS ADDED TO THE INDIANA  
 36 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 37 [EFFECTIVE JULY 1, 2021]: **Sec. 15. This chapter does not apply**  
 38 **to interactive gaming conducted under IC 4-39.**

