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# SENATE BILL No. 176

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-29; IC 4-30; IC 4-31; IC 4-33-6-1.5.

**Synopsis:** Moratorium on gaming expansion. Provides that, until January 1, 2004: (1) a form of gambling that is not lawful under an Indiana statute in effect on January 1, 1999, may not become lawful under an Indiana statute; (2) a statute in effect in Indiana on January 1, 1999, that allows a form of gambling may not be amended to expand the scope of gambling allowed by the statute; (3) a tribal-state compact to allow tribal gaming may not be made between the state and an Indian tribe; (4) a meeting permit to conduct pari-mutuel wagering that has not been issued by January 1, 1999, may not be issued; (5) a satellite facility license that has not been issued by January 1, 1999, may not be issued; and (6) the maximum number of riverboat licenses authorized on January 1, 1999, may not be increased. Prohibits the state lottery commission from conducting lottery games played on the Internet or on an electronic gaming device.

**Effective:** January 1, 1999 (retroactive).

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January 10, 2000, read first time and referred to Committee on Public Policy.

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Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

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## SENATE BILL No. 176



A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

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

1 SECTION 1. IC 4-29 IS ADDED TO THE INDIANA CODE AS A  
 2 **NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JANUARY**  
 3 **1, 1999 (RETROACTIVE)]:**  
 4 **ARTICLE 29. GAMBLING MORATORIUM**  
 5 **Chapter 1. Moratorium on New Forms of Gambling**  
 6 **Sec. 1. A form of gambling or gaming that is not lawful under an**  
 7 **Indiana statute in effect on January 1, 1999, may not become**  
 8 **lawful under an Indiana statute before January 1, 2004.**  
 9 **Sec. 2. This chapter expires January 2, 2004.**  
 10 **Chapter 2. Moratorium on Expansion of Gambling**  
 11 **Sec. 1. An Indiana statute in effect on January 1, 1999, that**  
 12 **allows a form of gambling may not be amended to expand the**  
 13 **scope of the gambling allowed by the statute before January 1,**  
 14 **2004.**  
 15 **Sec. 2. This chapter expires January 2, 2004.**  
 16 **Chapter 3. Moratorium on Gambling Compacts Between the**  
 17 **State and Indian Tribes**



1           **Sec. 1. A compact between the state and an Indian tribe to allow**  
 2 **tribal gambling under 25 U.S.C. 2710 may not be made between**  
 3 **the state and an Indian tribe before January 1, 2004.**

4           **Sec. 2. This chapter expires January 2, 2004.**

5           SECTION 2. IC 4-30-2-3.5 IS ADDED TO THE INDIANA CODE  
 6 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE**  
 7 **JANUARY 1, 1999 (RETROACTIVE)]: Sec. 3.5. (a) "Electronic**  
 8 **gaming device" means an electromechanical device, an electrical**  
 9 **device, or a machine that:**

10           **(1) upon payment of consideration is available to play a**  
 11 **lottery game; and**

12           **(2) makes payoffs in any manner, including delivery of**  
 13 **premiums, merchandise, tokens, redeemable lottery game**  
 14 **credits, or anything of value, to the person playing the lottery**  
 15 **game.**

16           **(b) The term does not include a lottery instant ticket vending**  
 17 **machine.**

18           SECTION 3. IC 4-30-2-3.7 IS ADDED TO THE INDIANA CODE  
 19 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE**  
 20 **JANUARY 1, 1999 (RETROACTIVE)]: Sec. 3.7. "Internet" refers**  
 21 **to the combination of computer facilities and electromagnetic**  
 22 **transmission media, and related equipment and software,**  
 23 **comprising the interconnected worldwide network of computer**  
 24 **networks that employ the Transmission Control Protocol/Internet**  
 25 **Protocol, or any predecessor or successor protocol, to transmit**  
 26 **information.**

27           SECTION 4. IC 4-30-14-8 IS ADDED TO THE INDIANA CODE  
 28 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE**  
 29 **JANUARY 1, 1999 (RETROACTIVE)]: Sec. 8. The state lottery**  
 30 **commission may not do the following:**

31           **(1) Conduct a lottery game played on the Internet.**

32           **(2) Conduct a lottery game played on an electronic gaming**  
 33 **device.**

34           SECTION 5. IC 4-31-5-1.5 IS ADDED TO THE INDIANA CODE  
 35 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE**  
 36 **JANUARY 1, 1999 (RETROACTIVE)]: Sec. 1.5. (a) Except as**  
 37 **provided in subsection (b), the Indiana horse racing commission**  
 38 **may not issue a meeting permit to conduct pari-mutuel wagering**  
 39 **under this chapter after December 31, 1998, until January 1, 2004.**

40           **(b) This section does not affect a meeting permit to conduct**  
 41 **pari-mutuel wagering issued before January 1, 1999, or the**  
 42 **renewal of a meeting permit first issued before January 1, 1999.**

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1           **(c) This section expires January 2, 2004.**

2           SECTION 6. IC 4-31-5.5-2.5 IS ADDED TO THE INDIANA  
3 CODE AS A NEW SECTION TO READ AS FOLLOWS  
4 [EFFECTIVE JANUARY 1, 1999 (RETROACTIVE)]: **Sec. 2.5. (a)**  
5 **Except as provided in subsection (b), the Indiana horse racing**  
6 **commission may not issue a satellite facility license under this**  
7 **chapter after December 31, 1998, until January 1, 2004.**

8           **(b) This section does not affect a satellite facility license issued**  
9 **before January 1, 1999, or the annual renewal of a satellite facility**  
10 **license first issued before January 1, 1999.**

11           **(c) This section expires January 2, 2004.**

12           SECTION 7. IC 4-33-6-1.5 IS ADDED TO THE INDIANA CODE  
13 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE  
14 JANUARY 1, 1999 (RETROACTIVE)]: **Sec. 1.5. (a) Except as**  
15 **provided in subsection (b), the maximum number of riverboat**  
16 **licenses authorized under this article as of January 1, 1999, may**  
17 **not be increased after December 31, 1998, until January 1, 2004.**

18           **(b) This section does not affect the following:**

19           **(1) A riverboat license issued before January 1, 1999.**

20           **(2) A certificate of suitability issued before January 1, 1999.**

21           **(3) The annual renewal of a riverboat license first issued**  
22 **before January 1, 1999.**

23           **(4) The issuance of a riverboat license to an owner receiving**  
24 **a certificate of suitability before January 1, 1999, or the**  
25 **annual renewal of that riverboat license.**

26           **(c) This section expires January 2, 2004.**

27           SECTION 8. An emergency is declared for this act.

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