

SENATE BILL No. 255

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-33.

Synopsis: Dockside gaming. Authorizes dockside gaming in Hammond, Gary, and East Chicago if the city council adopts an ordinance approving dockside gaming. Authorizes dockside gaming in LaPorte County and the counties contiguous to the Ohio River that have riverboats if the county council adopts an ordinance approving dockside gaming. Makes conforming amendments to apply to riverboats docked in cities and counties in which dockside gaming is approved.

Effective: July 1, 2002.

Mrvan

January 7, 2002, read first time and referred to Committee on Rules and Legislative Procedure.

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Second Regular Session 112th General Assembly (2002)

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 2001 General Assembly.

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SENATE BILL No. 255



A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

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

1 SECTION 1. IC 4-33-2-5.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2002]: **Sec. 5.5. "Continuously moored vessel" means a vessel**
4 **formerly self-propelled that previously cruised navigable waters**
5 **but has been determined by the United States Coast Guard to be**
6 **continuously docked and removed from navigation.**

7 SECTION 2. IC 4-33-2-7 IS AMENDED TO READ AS FOLLOWS
8 [EFFECTIVE JULY 1, 2002]: **Sec. 7. (a) Except as provided in**
9 **subsection (b), "dock" means the location where an excursion**
10 **riverboat moors for the purpose of embarking passengers for and**
11 **disembarking passengers from a gambling excursion.**

12 **(b) This subsection applies only to a riverboat docked in a**
13 **county or city that has approved dockside gaming under**
14 **IC 4-33-6-21 or IC 4-33-6-22. As used in this subsection, "dock"**
15 **means the location where a riverboat moors for the purpose of**
16 **embarking passengers for and disembarking passengers from the**
17 **riverboat.**



1 SECTION 3. IC 4-33-2-7.5 IS ADDED TO THE INDIANA CODE
 2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 3 1, 2002]: **Sec. 7.5. "Dockside gaming" refers to the practice of**
 4 **conducting gambling games and allowing the continuous ingress**
 5 **and egress of passengers for the purpose of gambling while a**
 6 **riverboat is docked.**

7 SECTION 4. IC 4-33-2-8 IS AMENDED TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2002]: **Sec. 8. "Gambling excursion" means the**
 9 **time during which gambling games may be operated on a riverboat**
 10 **that is not docked in a county or city that has approved dockside**
 11 **gaming under IC 4-33-6-21 or IC 4-33-6-22.**

12 SECTION 5. IC 4-33-2-15.5 IS ADDED TO THE INDIANA CODE
 13 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 14 1, 2002]: **Sec. 15.5. (a) This section applies to a riverboat docked in**
 15 **one (1) of the following:**

16 (1) A county that has approved dockside gaming under
 17 IC 4-33-6-21.

18 (2) A city that has approved dockside gaming under
 19 IC 4-33-6-22.

20 (b) "Patron" means an individual who:

21 (1) boards a riverboat; and

22 (2) is not entitled to receive a fee free pass.

23 SECTION 6. IC 4-33-2-16.5 IS ADDED TO THE INDIANA CODE
 24 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 25 1, 2002]: **Sec. 16.5. (a) This section applies to a riverboat docked in**
 26 **one (1) of the following:**

27 (1) A county that has approved dockside gaming under
 28 IC 4-33-6-21.

29 (2) A city that has approved dockside gaming under
 30 IC 4-33-6-22.

31 (b) "Reporting period" means a twenty-four (24) hour
 32 increment used by the department to assess fees under this article,
 33 commencing at 6 a.m. each day and concluding at 5:59 a.m. the
 34 following day.

35 SECTION 7. IC 4-33-2-17 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 17. (a) Except as**
 37 **provided in subsection (b), "riverboat" means a self-propelled**
 38 **excursion boat located in a county described in IC 4-33-1-1 on which**
 39 **lawful gambling is authorized and licensed under this article.**

40 (b) **This subsection applies only to a riverboat docked in a**
 41 **county or city that has approved dockside gaming under**
 42 **IC 4-33-6-21 or IC 4-33-6-22. "Riverboat" means a self-propelled**

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1 **excursion boat or continuously moored vessel located in a county**
 2 **described in IC 4-33-1-1 on which lawful gambling is authorized**
 3 **and licensed under this article.**

4 SECTION 8. IC 4-33-4-3, AS AMENDED BY P.L.14-2000,
 5 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2002]: Sec. 3. (a) The commission shall do the following:

7 (1) Adopt rules that the commission determines necessary to
 8 protect or enhance the following:

9 (A) The credibility and integrity of gambling operations
 10 authorized by this article.

11 (B) The regulatory process provided in this article.

12 (C) The natural environment and scenic beauty of Patoka
 13 Lake.

14 (2) Conduct all hearings concerning civil violations of this article.

15 (3) Provide for the establishment and collection of license fees
 16 and taxes imposed under this article.

17 (4) Deposit the license fees and taxes in the state gaming fund
 18 established by IC 4-33-13.

19 (5) Levy and collect penalties for noncriminal violations of this
 20 article.

21 (6) Deposit the penalties in the state gaming fund established by
 22 IC 4-33-13.

23 (7) Be present through the commission's inspectors and agents
 24 during the time gambling operations are conducted on a riverboat
 25 to do the following:

26 (A) Certify the revenue received by a riverboat.

27 (B) Receive complaints from the public.

28 (C) Conduct other investigations into the conduct of the
 29 gambling games and the maintenance of the equipment that
 30 the commission considers necessary and proper.

31 (D) With respect to riverboats that operate on Patoka Lake,
 32 ensure compliance with the following:

33 (i) IC 14-26-2-6.

34 (ii) IC 14-26-2-7.

35 (iii) IC 14-28-1.

36 (8) Adopt emergency rules under IC 4-22-2-37.1 if the
 37 commission determines that:

38 (A) the need for a rule is so immediate and substantial that
 39 rulemaking procedures under IC 4-22-2-13 through
 40 IC 4-22-2-36 are inadequate to address the need; and

41 (B) an emergency rule is likely to address the need.

42 **(9) Adopt emergency rules under IC 4-22-2-37.1 to regulate**

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1 **the implementation of dockside gaming in a county or city**
 2 **that approves dockside gaming under IC 4-33-6-21 or**
 3 **IC 4-33-6-22.**

4 (b) The commission shall begin rulemaking procedures under
 5 IC 4-22-2-13 through IC 4-22-2-36 to adopt an emergency rule adopted
 6 under subsection (a)(8) not later than thirty (30) days after the adoption
 7 of the emergency rule under subsection (a)(8).

8 SECTION 9. IC 4-33-4-10 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 10. The commission
 10 shall authorize the route of a riverboat and the stops, if any, that the
 11 riverboat may make **while on a cruise.**

12 SECTION 10. IC 4-33-4-21.2, AS AMENDED BY P.L.215-2001,
 13 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2002]: Sec. 21.2. (a) The Indiana gaming commission shall
 15 require a licensed owner to conspicuously display the number of the
 16 toll free telephone line described in IC 4-33-12-6 in the following
 17 locations:

18 (1) On each admission ticket to a riverboat ~~gambling excursion.~~
 19 **if admission tickets are issued.**

20 (2) On a poster or placard that is on display in a public area of
 21 each riverboat where gambling games are conducted.

22 (b) The toll free telephone line described in IC 4-33-12-6 must be:

23 (1) maintained by the division of mental health and addiction
 24 under IC 12-23-1-6; and

25 (2) funded by the addiction services fund established by
 26 IC 12-23-2-2.

27 (c) The commission may adopt rules under IC 4-22-2 necessary to
 28 carry out this section.

29 SECTION 11. IC 4-33-6-6 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 6. (a) A riverboat that
 31 ~~operates in cruises from~~ a county described in IC 4-33-1-1(1) or
 32 IC 4-33-1-1(2) must:

33 (1) have a valid certificate of inspection from the United States
 34 Coast Guard for the carrying of at least five hundred (500)
 35 passengers; and

36 (2) be at least one hundred fifty (150) feet in length.

37 (b) A riverboat that ~~operates cruises~~ on Patoka Lake must:

38 (1) have the capacity to carry at least five hundred (500)
 39 passengers;

40 (2) be at least one hundred fifty (150) feet in length; and

41 (3) meet safety standards required by the commission.

42 (c) This subsection applies only to a riverboat that operates on the

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1 Ohio River. A riverboat must replicate, as nearly as possible, historic
 2 Indiana steamboat passenger vessels of the nineteenth century.
 3 However, steam propulsion or overnight lodging facilities are not
 4 required under this subsection.

5 SECTION 12. IC 4-33-6-9 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 9. (a) A licensed owner
 7 must post a bond with the commission at least sixty (60) days before
 8 the commencement of ~~regular gambling on the riverboat. excursions.~~

9 (b) The bond shall be furnished in:

10 (1) cash or negotiable securities;

11 (2) a surety bond:

12 (A) with a surety company approved by the commission; and

13 (B) guaranteed by a satisfactory guarantor; or

14 (3) an irrevocable letter of credit issued by a banking institution
 15 of Indiana acceptable to the commission.

16 (c) If a bond is furnished in cash or negotiable securities, the
 17 principal shall be placed without restriction at the disposal of the
 18 commission, but income inures to the benefit of the licensee.

19 (d) The bond:

20 (1) is subject to the approval of the commission;

21 (2) must be in an amount that the commission determines will
 22 adequately reflect the amount that a local community will expend
 23 for infrastructure and other facilities associated with a riverboat
 24 operation; and

25 (3) must be payable to the commission as obligee for use in
 26 payment of the licensed owner's financial obligations to the local
 27 community, the state, and other aggrieved parties, as determined
 28 by the rules of the commission.

29 (e) If after a hearing (after at least five (5) days written notice) the
 30 commission determines that the amount of a licensed owner's bond is
 31 insufficient, the licensed owner shall upon written demand of the
 32 commission file a new bond.

33 (f) The commission may require a licensed owner to file a new bond
 34 with a satisfactory surety in the same form and amount if:

35 (1) liability on the old bond is discharged or reduced by judgment
 36 rendered, payment made, or otherwise; or

37 (2) in the opinion of the commission any surety on the old bond
 38 becomes unsatisfactory.

39 (g) If a new bond obtained under subsection (e) or (f) is
 40 unsatisfactory, the commission shall cancel the owner's license. If the
 41 new bond is satisfactorily furnished, the commission shall release in
 42 writing the surety on the old bond from any liability accruing after the

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1 effective date of the new bond.

2 (h) A bond is released on the condition that the licensed owner
3 remains at the site for which the owner's license is granted for the
4 lesser of:

5 (1) five (5) years; or

6 (2) the date the commission grants a license to another licensed
7 owner to operate from the site for which the bond was posted.

8 (i) A licensed owner who does not meet the requirements of
9 subsection (h) forfeits a bond filed under this section. The proceeds of
10 a bond that is in default under this subsection are paid to the
11 commission for the benefit of the local unit from which the riverboat
12 operated.

13 (j) The total and aggregate liability of the surety on a bond is limited
14 to the amount specified in the bond and the continuous nature of the
15 bond may in no event be construed as allowing the liability of the
16 surety under a bond to accumulate for each successive approval period
17 during which the bond is in force.

18 (k) A bond filed under this section is released sixty (60) days after:

19 (1) the time has run under subsection (h); and

20 (2) a written request is submitted by the licensed owner.

21 SECTION 13. IC 4-33-6-10 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 10. (a) An owner's
23 license issued under this chapter permits the holder to own and operate
24 one (1) riverboat and equipment for each license.

25 (b) **An owner's license issued under this chapter does not permit
26 the holder to:**

27 **(1) conduct gambling games authorized under this article
28 while the riverboat is docked; and**

29 **(2) allow the continuous ingress and egress of passengers for
30 purposes of gambling;**

31 **unless the fiscal body of the county or city in which the riverboat
32 is docked has approved dockside gaming under section 21 or 22 of
33 this chapter.**

34 (c) An owner's license issued under this chapter must specify the
35 place where the riverboat must operate and dock. However, the
36 commission may permit the riverboat to dock at a temporary dock in
37 the applicable city for a specific period of time not to exceed one (1)
38 year after the owner's license is issued.

39 (e) (d) An owner's initial license expires five (5) years after the
40 effective date of the license.

41 SECTION 14. IC 4-33-6-11 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 11. The commission

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1 may revoke an owner's license if:

- 2 (1) the licensee begins regular ~~riverboat excursions~~ **operations**
 3 more than twelve (12) months after receiving the commission's
 4 approval of the application for the license; and
 5 (2) the commission determines that the revocation of the license
 6 is in the best interests of Indiana.

7 SECTION 15. IC 4-33-6-21 IS ADDED TO THE INDIANA CODE
 8 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 9 1, 2002]: **Sec. 21. (a) This section applies to:**

- 10 (1) a county having a population of more than forty-six
 11 thousand one hundred eight (46,108) but less than forty-six
 12 thousand two hundred fifty (46,250);
 13 (2) a county having a population of more than thirty-four
 14 thousand three hundred (34,300) but less than thirty-four
 15 thousand nine hundred (34,900);
 16 (3) a county having a population of more than one hundred
 17 ten thousand (110,000) but less than one hundred fifteen
 18 thousand (115,000);
 19 (4) a county having a population of less than six thousand
 20 (6,000);
 21 (5) a county having a population of more than nine thousand
 22 (9,000) but less than nine thousand four hundred (9,400); and
 23 (6) a county having a population of more than one hundred
 24 seventy thousand (170,000) but less than one hundred eighty
 25 thousand (180,000).

26 (b) A riverboat owner may not:

- 27 (1) conduct gambling games authorized under this article; and
 28 (2) allow the continuous ingress and egress of passengers for
 29 the purpose of gambling;

30 while the riverboat is docked in the county, unless the fiscal body
 31 of the county approves dockside gaming in an ordinance adopted
 32 under this section.

33 (c) Before adopting the ordinance, the county fiscal body must:

- 34 (1) conduct a public hearing on the proposed ordinance; and
 35 (2) publish notice of the public hearing in the manner
 36 prescribed by IC 5-3-1.

37 SECTION 16. IC 4-33-6-22 IS ADDED TO THE INDIANA CODE
 38 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 39 1, 2002]: **Sec. 22. (a) This section applies to:**

- 40 (1) a city having a population of more than thirty-two
 41 thousand (32,000) but less than thirty-two thousand eight
 42 hundred (32,800) that is located in a county having a

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1 population of more than four hundred thousand (400,000) but
2 less than seven hundred thousand (700,000);

3 (2) a city having a population of more than ninety thousand
4 (90,000) but less than one hundred five thousand (105,000)
5 that is located in a county that has a population of more than
6 four hundred thousand (400,000) but less than seven hundred
7 thousand (700,000); and

8 (3) a city having a population of more than seventy-five
9 thousand (75,000) but less than ninety thousand (90,000) that
10 is located in a county that has a population of more than four
11 hundred thousand (400,000) but less than seven hundred
12 thousand (700,000).

13 (b) A riverboat owner may not:

14 (1) conduct gambling games authorized under this article; and

15 (2) allow the continuous ingress and egress of passengers for
16 the purpose of gambling;

17 while the riverboat is docked in the city unless the fiscal body of the
18 city approves dockside gaming in an ordinance adopted under this
19 section.

20 (c) Before adopting the ordinance, the city fiscal body must:

21 (1) conduct a public hearing on the proposed ordinance; and

22 (2) publish notice of the public hearing in the manner
23 prescribed by IC 5-3-1.

24 SECTION 17. IC 4-33-9-2, AS AMENDED BY P.L.20-1995,
25 SECTION 15, AND AS AMENDED BY P.L.55-1995, SECTION 3, IS
26 AMENDED AND CORRECTED TO READ AS FOLLOWS
27 [EFFECTIVE JULY 1, 2002]: Sec. 2. (a) **This section does not apply**
28 **to a riverboat docked in one (1) of the following:**

29 (1) A county that has approved dockside gaming under
30 IC 4-33-6-21.

31 (2) A city that has approved dockside gaming under
32 IC 4-33-6-22.

33 (b) Except as provided in subsections ~~(b)~~, (c) and ~~(c)~~, (d), gambling
34 may not be conducted while a riverboat is docked **in a county or city**
35 **other than a county or city described in subsection (a).**

36 ~~(b)~~ (c) If the master of the riverboat reasonably determines and
37 certifies in writing that:

38 (1) specific weather conditions, ~~or~~ water conditions, *or traffic*
39 *conditions* present a danger to the riverboat and the riverboat's
40 passengers and crew;

41 (2) *either the vessel or the docking facility is undergoing*
42 *mechanical or structural repair;*



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1 (3) *water traffic conditions present a danger to:*

2 (A) *the riverboat, riverboat passengers, and crew; or*

3 (B) *other vessels on the water; or*

4 (4) *the master has been notified that a condition exists that would*
 5 *cause a violation of federal law if the riverboat were to cruise;*

6 the riverboat may remain docked and gaming may take place until ~~(H)~~
 7 the master determines that the conditions have sufficiently diminished
 8 or been corrected for the riverboat to safely proceed or ~~(Z)~~ the duration
 9 of the authorized excursion has expired.

10 ~~(e)~~ (d) The commission shall by rule permit gambling to be
 11 conducted for periods of not more than thirty (30) minutes during
 12 passenger embarkation and not more than thirty (30) minutes during
 13 passenger disembarkation.

14 SECTION 18. IC 4-33-9-3 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 3. (a) Except as
 16 provided in ~~subsection~~ **subsections (b) and (c)**, riverboat excursions
 17 may not exceed four (4) hours for a round trip.

18 (b) Subsection (a) does not apply to an extended cruise that is
 19 expressly approved by the commission.

20 (c) **This subsection applies only to a riverboat docked in a**
 21 **county or city that has approved dockside gaming under**
 22 **IC 4-33-6-21 or IC 4-33-6-22. A riverboat cruise may not exceed**
 23 **two (2) hours for a round trip.**

24 SECTION 19. IC 4-33-9-14 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 14. (a) This section
 26 applies only to a riverboat that operates from a county that is
 27 contiguous to the Ohio River.

28 (b) A gambling ~~excursion~~ **cruise** is permitted only when the
 29 navigable waterway for which the riverboat is licensed is navigable, as
 30 determined by the commission in consultation with the United States
 31 Army Corps of Engineers.

32 SECTION 20. IC 4-33-9-17 IS ADDED TO THE INDIANA CODE
 33 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
 34 1, 2002]: **Sec. 17. (a) This section applies only to a riverboat docked**
 35 **in one (1) of the following:**

36 (1) **A county that has approved dockside gaming under**
 37 **IC 4-33-6-21.**

38 (2) **A city that has approved dockside gaming under**
 39 **IC 4-33-6-22.**

40 (b) **The riverboat owner may implement dockside gaming on**
 41 **January 1 following the adoption of an ordinance approving**
 42 **dockside gaming under IC 4-33-6-21 or IC 4-33-6-22.**

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1 SECTION 21. IC 4-33-10-1 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 1. (a) A person who
 3 knowingly or intentionally:

4 (1) makes a false statement on an application submitted under this
 5 article;

6 (2) operates a ~~gambling excursion in riverboat~~ on which
 7 wagering is conducted or is to be conducted in a manner other
 8 than the manner required under this article;

9 (3) permits a person less than twenty-one (21) years of age to
 10 make a wager;

11 (4) **aids, induces, or causes a person less than twenty-one (21)**
 12 **years of age who is not an employee of the riverboat gambling**
 13 **operation to enter or attempt to enter a riverboat;**

14 (5) wagers or accepts a wager at a location other than a riverboat;
 15 or

16 ~~(5)~~ (6) makes a false statement on an application submitted to the
 17 commission under this article;

18 commits a Class A misdemeanor.

19 (b) **A person who:**

20 (1) **is not an employee of the riverboat gambling operation;**

21 (2) **is less than twenty-one (21) years of age; and**

22 (3) **knowingly or intentionally enters or attempts to enter a**
 23 **riverboat;**

24 **commits a Class C misdemeanor.**

25 SECTION 22. IC 4-33-10-5 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 5. An action to
 27 prosecute a crime occurring during ~~a gambling excursion on a~~
 28 **riverboat** shall be tried in the county of the dock where the riverboat
 29 is based.

30 SECTION 23. IC 4-33-12-1 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 1. (a) **This subsection**
 32 **does not apply to a riverboat docked in one (1) of the following:**

33 (1) **A county that has approved dockside gaming under**
 34 **IC 4-33-6-21.**

35 (2) **A city that has approved dockside gaming under**
 36 **IC 4-33-6-22.**

37 A tax is imposed on admissions to gambling excursions authorized
 38 under this article at a rate of three dollars (\$3) for each person admitted
 39 to the gambling excursion.

40 (b) **This subsection applies only to a riverboat docked in one (1)**
 41 **of the following:**

42 (1) **A county that has approved dockside gaming under**

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IC 4-33-6-21.

(2) A city that has approved dockside gaming under IC 4-33-6-22.

A tax is imposed on admissions to a riverboat authorized under this article at a rate of three dollars (\$3) for each patron who is on board at the time a passenger count is recorded. Passenger counts must be recorded one (1) hour after the start of each reporting period and once every two (2) hours thereafter under procedures approved by the commission. If the riverboat's schedule as approved by the commission does not provide for the riverboat to be open to the public at the start of the reporting period, passenger counts must be recorded one (1) hour after the riverboat begins admitting patrons during a reporting period and once every two (2) hours thereafter under procedures approved by the commission.

(c) This admission tax is imposed upon the licensed owner conducting the gambling ~~excursion:~~ operation.

SECTION 24. IC 4-33-12-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 2. (a) This section does not apply to a riverboat docked in one (1) of the following:

(1) A county that has approved dockside gaming under IC 4-33-6-21.

(2) A city that has approved dockside gaming under IC 4-33-6-22.

(b) If tickets are issued that may be used for admission to more than one (1) gambling excursion, the admission tax must be paid for each person using the ticket on each gambling excursion for which the ticket is used.

(c) If free passes or complimentary admission tickets are issued, a person who has been issued an owner's license shall pay the same tax on the passes or complimentary tickets as if the passes or tickets were sold at the regular admission rate.

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