



April 4, 2003

ENGROSSED HOUSE BILL No. 1528

DIGEST OF HB 1528 (Updated April 1, 2003 12:51 PM - DI 110)

Citations Affected: IC 4-33.

Synopsis: Riverboat ownership. Allows a person to hold ownership of up to 2 riverboat licenses.

Effective: July 1, 2003.

Kuzman

(SENATE SPONSORS — SERVER, ROGERS)

January 16, 2003, read first time and referred to Committee on Public Policy, Ethics and Veterans Affairs.

February 19, 2003, amended, reported — Do Pass.

March 3, 2003, read second time, ordered engrossed.

March 4, 2003, engrossed. Read third time, passed. Yeas 67, nays 31.

SENATE ACTION

March 13, 2003, read first time and referred to Committee on Rules and Legislative Procedure. Reassigned to Committee on Commerce and Consumer Affairs pursuant to Senate Rule 65(b).

April 3, 2003, reported favorably — Do Pass.

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EH 1528—LS 7637/DI 87+



April 4, 2003

First Regular Session 113th General Assembly (2003)

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 2002 Regular or Special Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1528

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 4-33-6-1 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) The commission may issue
3 to a person a license to own ~~one~~ ⁽¹⁾ a riverboat subject to the numerical
4 and geographical limitation of owner's licenses under this section,
5 **section 3.5 of this chapter**, and IC 4-33-4-17. However, not more than
6 eleven (11) owner's licenses may be in effect at any time. Except as
7 provided in subsection (b), those eleven (11) licenses are as follows:
8 (1) Two (2) licenses for a riverboat that operates from the largest
9 city located in the counties described under IC 4-33-1-1(1).
10 (2) One (1) license for a riverboat that operates from the second
11 largest city located in the counties described under
12 IC 4-33-1-1(1).
13 (3) One (1) license for a riverboat that operates from the third
14 largest city located in the counties described under
15 IC 4-33-1-1(1).
16 (4) One (1) license for a city located in the counties described
17 under IC 4-33-1-1(1). This license may not be issued to a city

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1 described in subdivisions (1) through (3).

2 (5) A total of five (5) licenses for riverboats that operate upon the
3 Ohio River from counties described under IC 4-33-1-1(2). The
4 commission may not issue a license to an applicant if the issuance
5 of the license would result in more than one (1) riverboat
6 operating from a county described in IC 4-33-1-1(2).

7 (6) One (1) license for a riverboat that operates upon Patoka Lake
8 from a county described under IC 4-33-1-1(3).

9 (b) If a city described in subsection (a)(2) or (a)(3) conducts two (2)
10 elections under section 20 of this chapter, and the voters of the city do
11 not vote in favor of permitting riverboat gambling at either of those
12 elections, the license assigned to that city under subsection (a)(2) or
13 (a)(3) may be issued to any city that:

14 (1) does not already have a riverboat operating from the city; and

15 (2) is located in a county described in IC 4-33-1-1(1).

16 SECTION 2. IC 4-33-6-3 IS AMENDED TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2003]: Sec. 3. The commission may not issue
18 an owner's license under this chapter to a person if:

19 (1) the person has been convicted of a felony under Indiana law,
20 the laws of any other state, or laws of the United States;

21 (2) the person has knowingly or intentionally submitted an
22 application for a license under this chapter that contains false
23 information;

24 (3) the person is a member of the commission;

25 (4) the person is an officer, a director, or a managerial employee
26 of a person described in subdivision (1) or (2);

27 (5) the person employs an individual who:

28 (A) is described in subdivision (1), (2), or (3); and

29 (B) participates in the management or operation of gambling
30 operations authorized under this article;

31 (6) the person owns an ownership interest of more than ~~ten~~
32 **percent (10%) in more than one (1) other person holding an**
33 **owner's license issued under the total amount of ownership**
34 **interests permitted under section 3.5 of this chapter; or**

35 (7) a license issued to the person:

36 (A) under this article; or

37 (B) to own or operate gambling facilities in another
38 jurisdiction;

39 has been revoked.

40 SECTION 3. IC 4-33-6-3.5 IS ADDED TO THE INDIANA CODE
41 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
42 1, 2003]: **Sec. 3.5. (a) For purposes of this section, a person is**

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1 considered to have an ownership interest in a riverboat owner's
2 license if the interest is owned directly or indirectly by the person
3 or by an entity controlled by the person.
4 (b) A person may have up to a one hundred percent (100%)
5 ownership interest in not more than two (2) riverboat licenses
6 issued under this chapter.
7 (c) A person may not have an ownership interest in more than
8 two (2) riverboat owner's licenses issued under this chapter.
9 (d) This section may not be construed to increase the maximum
10 number of licenses permitted under section 1 of this chapter or the
11 number of riverboats that may be owned and operated under a
12 license under section 10 of this chapter.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, Ethics and Veterans Affairs, to which was referred House Bill 1528, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

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

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1528 as introduced.)

LYTLE, Chair

Committee Vote: yeas 13, nays 0.

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REPORT OF THE PRESIDENT
PRO TEMPORE

Mr. President: Pursuant to Senate Rule 65(b), I hereby report that Engrossed House Bill 1528, currently assigned to the Committee on Rules and Legislative Procedure, be reassigned to the Committee on Commerce and Consumer Affairs.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Commerce and Consumer Affairs, to which was referred House Bill No. 1528, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1528 as printed February 20, 2003.)

SERVER, Chairperson

Committee Vote: Yeas 6, Nays 0.

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