

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1528 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 4-33-2-10.5 IS ADDED TO THE INDIANA
- 4 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 5 [EFFECTIVE JULY 1, 2003]: **Sec. 10.5. As used in IC 4-33-4-21(d),**
- 6 **"gross income" means all the gross receipts a licensed owner**
- 7 **receives from the sale, transfer, or exchange of:**
- 8 (1) **property, real or personal, tangible or intangible; or**
- 9 (2) **an owner's license issued under this article.**
- 10 SECTION 2. IC 4-33-4-21 IS AMENDED TO READ AS
- 11 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 21. (a) A licensed
- 12 owner or any other person must apply for and receive the commission's
- 13 approval before:
- 14 (1) an owner's license is:
- 15 (A) transferred;
- 16 (B) sold; or
- 17 (C) purchased; or
- 18 (2) a voting trust agreement or other similar agreement is
- 19 established with respect to the owner's license.
- 20 (b) The commission shall adopt rules governing the procedure a
- 21 licensed owner or other person must follow to take an action under
- 22 subsection (a). The rules must specify that a person who obtains an
- 23 ownership interest in a license must meet the criteria of this article and

1 any rules adopted by the commission. A licensed owner may transfer
 2 an owner's license only in accordance with this article and rules
 3 adopted by the commission.
 4 (c) A licensed owner or any other person may not:
 5 (1) lease;
 6 (2) hypothecate; or
 7 (3) borrow or loan money against;
 8 an owner's license.
 9 **(d) The commission shall impose a transfer fee upon a licensed**
 10 **owner who sells, transfers, or exchanges an owner's license. The fee**
 11 **imposed under this subsection is equal to:**
 12 **(1) the gross income received from a transaction or a series of**
 13 **transactions that includes the sale, transfer, or exchange of an**
 14 **owner's license with:**
 15 **(A) a person; or**
 16 **(B) a person affiliated with that person;**
 17 **multiplied by**
 18 **(2) six percent (6%).**
 19 **The gaming commission shall deposit a fee collected under this**
 20 **subsection in the state general fund.**
 21 **(e) For purposes of this section, a person "affiliated" with a**
 22 **specific person is a person that directly, or indirectly through one**
 23 **(1) or more intermediaries, controls, or is controlled by, or is under**
 24 **common control with, the person specified."**
 25 Renumber all SECTIONS consecutively.
 (Reference is to HB 1528 as printed February 20, 2003.)

Representative Kuzman