

Adopted Rejected

COMMITTEE REPORT

YES: 13
NO: 0

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:*

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning state
- 3 offices and administration.
- 4 Delete everything after the enacting clause and insert the following:
- 5 SECTION 1. IC 4-33-6-1 IS AMENDED TO READ AS FOLLOWS
- 6 [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) The commission may issue
- 7 to a person a license to own ~~one~~ **(1)** a riverboat subject to the numerical
- 8 and geographical limitation of owner's licenses under this section,
- 9 **section 3.5 of this chapter**, and IC 4-33-4-17. However, not more than
- 10 eleven (11) owner's licenses may be in effect at any time. Except as
- 11 provided in subsection (b), those eleven (11) licenses are as follows:
- 12 (1) Two (2) licenses for a riverboat that operates from the largest
- 13 city located in the counties described under IC 4-33-1-1(1).

- 1 (2) One (1) license for a riverboat that operates from the second
 2 largest city located in the counties described under
 3 IC 4-33-1-1(1).
- 4 (3) One (1) license for a riverboat that operates from the third
 5 largest city located in the counties described under
 6 IC 4-33-1-1(1).
- 7 (4) One (1) license for a city located in the counties described
 8 under IC 4-33-1-1(1). This license may not be issued to a city
 9 described in subdivisions (1) through (3).
- 10 (5) A total of five (5) licenses for riverboats that operate upon the
 11 Ohio River from counties described under IC 4-33-1-1(2). The
 12 commission may not issue a license to an applicant if the issuance
 13 of the license would result in more than one (1) riverboat
 14 operating from a county described in IC 4-33-1-1(2).
- 15 (6) One (1) license for a riverboat that operates upon Patoka Lake
 16 from a county described under IC 4-33-1-1(3).
- 17 (b) If a city described in subsection (a)(2) or (a)(3) conducts two (2)
 18 elections under section 20 of this chapter, and the voters of the city do
 19 not vote in favor of permitting riverboat gambling at either of those
 20 elections, the license assigned to that city under subsection (a)(2) or
 21 (a)(3) may be issued to any city that:
- 22 (1) does not already have a riverboat operating from the city; and
 23 (2) is located in a county described in IC 4-33-1-1(1).
- 24 SECTION 2. IC 4-33-6-3 IS AMENDED TO READ AS FOLLOWS
 25 [EFFECTIVE JULY 1, 2003]: Sec. 3. The commission may not issue
 26 an owner's license under this chapter to a person if:
- 27 (1) the person has been convicted of a felony under Indiana law,
 28 the laws of any other state, or laws of the United States;
- 29 (2) the person has knowingly or intentionally submitted an
 30 application for a license under this chapter that contains false
 31 information;
- 32 (3) the person is a member of the commission;
- 33 (4) the person is an officer, a director, or a managerial employee
 34 of a person described in subdivision (1) or (2);
- 35 (5) the person employs an individual who:
- 36 (A) is described in subdivision (1), (2), or (3); and
 37 (B) participates in the management or operation of gambling
 38 operations authorized under this article;

- 1 (6) the person owns an ownership interest of more than ~~ten~~
- 2 percent (~~10%~~) in more than one (~~1~~) other person holding an
- 3 owner's license issued under the total amount of ownership
- 4 interests permitted under section 3.5 of this chapter; or
- 5 (7) a license issued to the person:
- 6 (A) under this article; or
- 7 (B) to own or operate gambling facilities in another
- 8 jurisdiction;
- 9 has been revoked.

10 SECTION 3. IC 4-33-6-3.5 IS ADDED TO THE INDIANA CODE
 11 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 12 1, 2003]: **Sec. 3.5. (a) For purposes of this section, a person is**
 13 **considered to have an ownership interest in a riverboat owner's**
 14 **license if the interest is owned directly or indirectly by the person**
 15 **or by an entity controlled by the person.**

16 **(b) A person may have up to a one hundred percent (100%)**
 17 **ownership interest in not more than two (2) riverboat licenses**
 18 **issued under this chapter.**

19 **(c) A person may not have an ownership interest in more than**
 20 **two (2) riverboat owner's licenses issued under this chapter.**

21 **(d) This section may not be construed to increase the maximum**
 22 **number of licenses permitted under section 1 of this chapter or the**
 23 **number of riverboats that may be owned and operated under a**
 24 **license under section 10 of this chapter.**

(Reference is to HB 1528 as introduced.)

and when so amended that said bill do pass.

Representative Lytle