

# SENATE MOTION

**MR. PRESIDENT:**

**I move** that Engrossed 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; and**  
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  
24 any rules adopted by the commission. A licensed owner may transfer  
25 an owner's license only in accordance with this article and rules  
26 adopted by the commission.  
27          (c) A licensed owner or any other person may not:  
28               (1) lease;  
29               (2) hypothecate; or  
30               (3) borrow or loan money against;  
31 an owner's license.

1           **(d) The commission shall impose a transfer fee upon a licensed**  
2 **owner who sells, transfers, or exchanges an owner's license. The fee**  
3 **imposed under this subsection is equal to:**  
4           **(1) the gross income received from a transaction or a series of**  
5 **transactions that includes the sale, transfer, or exchange of an**  
6 **owner's license with:**  
7           **(A) a person; or**  
8           **(B) a person affiliated with that person; multiplied by**  
9           **(2) four percent (4%).**  
10 **The gaming commission shall deposit a fee collected under this**  
11 **subsection in the state general fund.**  
12           **(e) For purposes of this section, a person "affiliated" with a**  
13 **specific person is a person that directly, or indirectly through one**  
14 **(1) or more intermediaries, controls, or is controlled by, or is under**  
15 **common control with, the person specified."**  
16           Renumber all SECTIONS consecutively.  
              (Reference is to EHB 1528 as printed April 4, 2003.)

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Senator PAUL