

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 405 be amended to read as follows:

- 1 Page 6, between lines 24 and 25, begin a new paragraph and insert:
- 2 "SECTION 6. IC 4-33-1-1, AS AMENDED BY P.L.233-2007,
- 3 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2010]: Sec. 1. This article applies only to the following:
- 5 (1) Counties contiguous to Lake Michigan.
- 6 (2) A county that is:
- 7 (A) contiguous to the Ohio River; and
- 8 (B) described in IC 4-33-6-1(a)(5).
- 9 (3) A county that contains a historic hotel district.
- 10 (4) **Steuben County.**
- 11 (5) **Fort Wayne.**".
- 12 Page 16, between lines 28 and 29, begin a new paragraph and insert:
- 13 "**(e) This subsection applies to Steuben County. The commission**
- 14 **may not issue a license authorizing a riverboat to operate in the**
- 15 **county unless an ordinance permitting the operation of riverboats**
- 16 **in the county has been approved by the county fiscal body.**
- 17 **(f) This subsection applies to Fort Wayne. The commission may**
- 18 **not issue a license authorizing a riverboat to dock in a city unless**
- 19 **the legislative body of the city has approved an ordinance**
- 20 **permitting the docking of riverboats in the city.**
- 21 SECTION 24. IC 4-33-6-19.5 IS ADDED TO THE INDIANA
- 22 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 23 [EFFECTIVE JULY 1, 2010]: **Sec. 19.5. (a) This section applies to**
- 24 **Steuben County.**

1 **(b) Notwithstanding any other provision of this article, the**
 2 **commission may not issue a license under this article to allow a**
 3 **riverboat to operate in the county unless the voters of the county**
 4 **have approved the conducting of gambling games on riverboats in**
 5 **the county. However, a local public question may not be conducted**
 6 **under this section unless the commission certifies to the county**
 7 **election board that an owner's license is available for Steuben**
 8 **County before July 25, 2010.**

9 **(c) If:**

10 **(1) the docking of a riverboat in the county is approved by an**
 11 **ordinance adopted under section 18(e) of this chapter, or if at**
 12 **least the number of the registered voters of the county**
 13 **required under IC 3-8-6-3 for a petition to place a candidate**
 14 **on the ballot sign a petition submitted to the circuit court**
 15 **clerk requesting that a local public question concerning**
 16 **riverboat gaming be placed on the ballot; and**

17 **(2) the county election board receives before July 25, 2010, the**
 18 **certification that an owner's license is available for Steuben**
 19 **County as required by subsection (b);**

20 **the county election board shall place the following question on the**
 21 **ballot in the county during the 2010 general election:**

22 **"Shall riverboat gambling be permitted in Steuben County?".**

23 **(d) A public question under this section shall be placed on the**
 24 **ballot in accordance with IC 3-10-9 and must be certified in**
 25 **accordance with IC 3-10-9-3.**

26 **(e) The clerk of the circuit court of a county holding an election**
 27 **under this chapter shall certify the results determined under**
 28 **IC 3-12-4-9 to the commission and the department of state revenue.**

29 **(f) If a public question under this section is placed on the ballot**
 30 **in a county and the voters of the county do not vote in favor of**
 31 **permitting riverboat gambling under this article, a second public**
 32 **question under this section may not be held in that county.**

33 **SECTION 25. IC 4-33-6-20.5 IS ADDED TO THE INDIANA**
 34 **CODE AS A NEW SECTION TO READ AS FOLLOWS**
 35 **[EFFECTIVE JULY 1, 2010]: Sec. 20.5. (a) This section applies to**
 36 **Fort Wayne.**

37 **(b) Notwithstanding any other provision of this article, the**
 38 **commission may not issue a license under this article to allow a**
 39 **riverboat to operate from a city to which this section applies unless**
 40 **the voters of the city have approved the conducting of gambling**
 41 **games on riverboats in the city. However, a local public question**
 42 **may not be conducted under this section unless the commission**
 43 **certifies to the county election board that an owner's license is**
 44 **available for Fort Wayne before July 25, 2010.**

45 **(c) If:**

46 **(1) the legislative body of the city approves the docking of a**
 47 **riverboat under section 18(f) of this chapter, or if at least the**

1 **number of the registered voters of the city required under**
2 **IC 3-8-6-3 for a petition to place a candidate on the ballot sign**
3 **a petition submitted to the circuit court clerk requesting that**
4 **a local public question concerning riverboat gaming be placed**
5 **on the ballot; and**
6 **(2) the county election board receives before July 25, 2010, the**
7 **certification that an owner's license is available for Fort**
8 **Wayne as required by subsection (b);**
9 **the county election board shall place the following question on the**
10 **ballot in the city during the 2010 general election:**
11 **"Shall licenses be issued to permit riverboat gambling in the**
12 **City of Fort Wayne?"**
13 **(d) A public question under this section shall be placed on the**
14 **ballot in accordance with IC 3-10-9 and must be certified in**
15 **accordance with IC 3-10-9-3.**
16 **(e) The clerk of the circuit court of a county holding an election**
17 **under this chapter shall certify the results determined under**
18 **IC 3-12-4-9 to the commission and the department of state revenue.**
19 **(f) If a public question under this section is placed on the ballot**
20 **in a city and the voters of the city do not vote in favor of permitting**
21 **riverboat gambling under this article, another public question**
22 **under this section may not be held in that city."**
23 Renumber all SECTIONS consecutively.
 (Reference is to ESB 405 as printed February 19, 2010.)

Representative Fry