

SENATE MOTION

MADAM PRESIDENT:

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

- 1 Page 3, between lines 11 and 12, begin a new paragraph and insert:
2 "SECTION 2. IC 4-31-5-8 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) Except as
4 provided in subsection (c), the commission may issue or deny a permit
5 to an applicant to conduct a horse racing meeting after the proper filing
6 of:
7 (1) an application for a permit; and
8 (2) the other information required by this chapter.
9 The commission shall meet as soon as practicable after the filing of the
10 application and other information for the purpose of acting on the
11 application.
12 (b) The commission may deny a permit to:
13 (1) any applicant if denial of the permit is in the public interest;
14 (2) a permit holder that has defaulted in payments to the public or
15 an employee, a vendor, a supplier, an owner, or a trainer; or
16 (3) the purchaser of a track from a permit holder described in
17 subdivision (2) if defaults at that track have not been satisfied by
18 either the seller or the purchaser.
19 (c) The commission shall deny a permit to:
20 (1) a permit holder that has defaulted in payments to the state; **or**
21 (2) the purchaser of a track from a permit holder described in
22 subdivision (1), if defaults at that track have not been satisfied by
23 either the seller or the purchaser. ~~or~~
24 ~~(3) a person, an association, a trust, a limited liability company,~~
25 ~~or a corporation that owns, or has one (1) or more members or~~
26 ~~stockholders who own, an interest in any other permit issued by~~
27 ~~the commission in the same year for any other racetrack in~~
28 ~~Indiana.~~
29 (d) The commission may not issue a permit that would allow
30 pari-mutuel racing to be conducted at the same hour at two (2) or more

1 locations in the same county or adjacent counties.

2 (e) A permit issued under this section is valid from January 1 to
3 December 31 of the year for which it is issued. An application must be
4 made for a renewal of a permit."

5 Page 8, between lines 7 and 8, begin a new paragraph and insert:

6 "SECTION 8. IC 4-33-2-3.9 IS ADDED TO THE INDIANA CODE
7 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
8 1, 2010]: **Sec. 3.9. "Casino license" refers to either or both of the
9 following:**

10 **(1) An owner's license.**

11 **(2) A gambling game license issued under IC 4-35-5."**

12 Page 13, between lines 28 and 29, begin a new paragraph and insert:

13 "SECTION 16. IC 4-33-6-3.5 IS AMENDED TO READ AS
14 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 3.5. (a) For purposes
15 of this section, a person is considered to have an ownership interest in
16 a ~~riverboat owner's~~ **casino** license if the interest is owned directly or
17 indirectly by the person or by an entity controlled by the person.

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

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

23 (d) This section may not be construed to increase the maximum
24 number of:

25 **(1) licenses permitted under section 1 of this chapter; ~~or the~~**
26 **~~number of~~**

27 **(2) riverboats that may be owned and operated under a license**
28 **under section 10 of this chapter; ~~or~~**

29 **(3) gambling game licenses that may be issued under**
30 **IC 4-35-5-1."**

31 Page 32, between lines 17 and 18, begin a new paragraph and insert:

32 "SECTION 33. IC 4-35-5-1, AS ADDED BY P.L.233-2007,
33 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2010]: Sec. 1. **(a)** The commission may issue a license to a
35 permit holder to conduct gambling games under this article at the
36 permit holder's racetrack. The number of licenses issued under this
37 chapter may not exceed two (2).

- 1 **(b) IC 4-33-6-3.5 applies to a permit holder issued a license**
- 2 **under this chapter."**
- 3 Renumber all SECTIONS consecutively.
 (Reference is to SB 405 as printed January 29, 2010.)

Senator ALTING