
HOUSE BILL No. 1046

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-31; IC 8-14-18.

Synopsis: Unclaimed pari-mutuel tickets. Requires a permit holder to transfer the balance on unclaimed pari-mutuel wagering tickets at the permit holder's racetrack and satellite facilities to the department of state revenue. Requires the department to annually distribute the money to the county treasurer of the county in which the permit holder's racetrack is located. Requires the distributions to be deposited in a county road improvement fund. Requires money in the funds to be used for the construction, maintenance, and improvement of highways, roads, and bridges. Prohibits expending money in the funds on the salaries or wages of county employees or on the administrative expenses of county highway departments. Makes an appropriation.

Effective: July 1, 2012.

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January 9, 2012, read first time and referred to Committee on Public Policy.

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PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2011 Regular Session of the General Assembly.

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HOUSE BILL No. 1046



A BILL FOR AN ACT to amend the Indiana Code concerning gaming and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-31-9-10 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) At the close of
3 each day on which pari-mutuel wagering is conducted at a racetrack or
4 satellite facility, the permit holder or satellite facility operator shall pay
5 the breakage from each of the races on which wagers were taken on
6 that day to the auditor of state for deposit in the appropriate breed
7 development fund as determined by the rules of the commission.

8 (b) **This subsection applies to outs tickets from calendar years**
9 **ending before January 1, 2012.** Not later than March 15 of each year,
10 each permit holder or satellite facility operator shall pay to the
11 commission the balance of the outs tickets from the previous calendar
12 year. The commission shall distribute money received under this
13 subsection to the appropriate breed development fund as determined by
14 the rules of the commission.

15 (c) **This subsection applies to outs tickets from a calendar year**
16 **beginning after December 31, 2011. Before March 15 of each year,**
17 **each permit holder operating a racetrack or a satellite facility shall**



1 pay to the department of state revenue the balance of the outs
 2 tickets held by the permit holder from the previous calendar year.
 3 The payment required by this subsection must be on a form
 4 prescribed by the department of state revenue.

5 (d) Not more than forty-five (45) days after receiving a payment
 6 under subsection (c), the department of state revenue shall
 7 distribute the amount paid by the permit holder to the county
 8 treasurer of the county in which the permit holder's racetrack is
 9 located. A county treasurer receiving a distribution under this
 10 subsection shall deposit the money in a county road improvement
 11 fund established under IC 8-14-18-2.

12 SECTION 2. IC 4-31-11-11 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. Each development
 14 fund consists of:

- 15 (1) breakage ~~and outs~~ paid into the fund under ~~IC 4-31-9-10;~~
 16 **IC 4-31-9-10(a);**
 17 **(2) outs paid into the fund under IC 4-31-9-10(b);**
 18 ~~(2) (3)~~ appropriations by the general assembly;
 19 ~~(3) (4)~~ gifts;
 20 ~~(4) (5)~~ stakes payments;
 21 ~~(5) (6)~~ entry fees; and
 22 ~~(6) (7)~~ money paid into the fund under ~~IC 4-33-12-6.~~
 23 **IC 4-35-7-12.**

24 SECTION 3. IC 8-14-18 IS ADDED TO THE INDIANA CODE AS
 25 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
 26 1, 2012]:

27 **Chapter 18. County Road Improvement Fund**

28 **Sec. 1.** As used in this chapter, "fund" refers to a county road
 29 improvement fund established under section 2 of this chapter.

30 **Sec. 2. (a)** Each county that receives a distribution under
 31 **IC 4-31-9-10(d)** shall establish a separate fund known as the county
 32 road improvement fund.

33 **(b)** The fund consists of money distributed to the county under
 34 **IC 4-31-9-10(d).**

35 **(c)** The fiscal officer of the county shall administer the fund.

36 **(d)** The fiscal body of the county may appropriate money in the
 37 fund for a purpose described in section 3 of this chapter. The
 38 appropriations of money in the fund must be included as a part of
 39 the county's annual budget for the calendar year in accordance
 40 with **IC 6-1.1-17.**

41 **(e)** Money remaining in the fund at the end of a particular
 42 calendar year remains in the fund and does not revert to any other

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fund.
Sec. 3. Subject to section 4 of this chapter, money in the fund may be expended only for the construction, maintenance, and improvement of highways, roads, and bridges.
Sec. 4. Money in the fund may not be expended on:
(1) the salaries or wages of county employees; or
(2) the administrative expenses of a county highway department or similar entity.

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