

# SENATE BILL No. 195

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-33-4.5; IC 35-31.5-2-185.

**Synopsis:** Gaming agents and control officers. Adds gaming agents and gaming control officers to the definition of "law enforcement officer" for purposes of the criminal code. Provides that a gaming agent may not exercise a power that is not authorized by the riverboat gambling or race track casino law. Specifies the police powers that a gaming agent may exercise in connection with offenses committed in the gaming agent's presence or while assisting another law enforcement officer who has requested the assistance of the gaming agent.

**Effective:** Upon passage.

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January 7, 2013, read first time and referred to Committee on Homeland Security, Transportation and Veterans Affairs.

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First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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# SENATE BILL No. 195



A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

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

1 SECTION 1. IC 4-33-4.5-1, AS AMENDED BY P.L.126-2012,  
2 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]: Sec. 1. (a) A gaming agent is vested with full  
4 police powers and duties to enforce this article **and IC 4-35**.  
5 (b) A gaming agent may issue a summons for an infraction or a  
6 misdemeanor violation if the defendant promises to appear by signing  
7 the summons. A defendant who signs a summons issued under this  
8 subsection but fails to appear is subject to the penalties provided by  
9 IC 35-44.1-2-10. Upon the defendant's failure to appear, the court shall  
10 issue a warrant for the arrest of the defendant.  
11 (c) In addition to the powers and duties vested under subsection (a),  
12 a gaming agent may act as an officer for the arrest of offenders who  
13 violate the laws of Indiana if the gaming agent reasonably believes that  
14 a crime has been, is being, or is about to be committed or attempted in  
15 the gaming agent's presence: **make an arrest, conduct a search or a**  
16 **seizure of a person or property, or exercise other police powers:**  
17 **(1) in connection with an offense committed in the presence of**



1           **the gaming agent; or**  
 2           **(2) while assisting another law enforcement officer who has**  
 3           **requested the assistance of the gaming agent.**  
 4           SECTION 2. IC 4-33-4.5-1.5 IS ADDED TO THE INDIANA  
 5 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 6 [EFFECTIVE UPON PASSAGE]: **Sec. 1.5. Notwithstanding a**  
 7 **gaming agent's status as a law enforcement officer under**  
 8 **IC 35-31.5-2-185, a gaming agent may not exercise a power that is**  
 9 **not authorized by this article or IC 4-35.**  
 10          SECTION 3. IC 35-31.5-2-185, AS ADDED BY P.L.114-2012,  
 11 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 UPON PASSAGE]: Sec. 185. "Law enforcement officer" means:  
 13           (1) a police officer (including a correctional police officer),  
 14           sheriff, constable, marshal, prosecuting attorney, special  
 15           prosecuting attorney, special deputy prosecuting attorney, the  
 16           securities commissioner, or the inspector general;  
 17           (2) a deputy of any of those persons;  
 18           (3) an investigator for a prosecuting attorney or for the inspector  
 19           general;  
 20           (4) a conservation officer;  
 21           (5) an enforcement officer of the alcohol and tobacco  
 22           commission; ~~or~~  
 23           (6) an enforcement officer of the securities division of the office  
 24           of the secretary of state; **or**  
 25           **(7) a gaming agent employed under IC 4-33-4.5 or a gaming**  
 26           **control officer employed under IC 4-33-20.**  
 27          SECTION 4. **An emergency is declared for this act.**

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