

# HOUSE BILL No. 1536

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-1-8-1; IC 4-3-26-7; IC 4-30; IC 4-33; IC 4-35; IC 4-39; IC 31-25-4; IC 35-45-5-15.

**Synopsis:** Interactive gaming. Authorizes the lottery commission to operate the sale of draw games and digital representations of scratch-off games over the Internet. Authorizes the following persons to conduct interactive gaming: (1) A licensed owner of a riverboat. (2) An operating agent operating a riverboat in a historic hotel district. (3) A permit holder conducting gambling games at the permit holder's racetrack. Provides for the licensure of persons providing services and equipment for managing and conducting interactive gaming. Specifies requirements for the conduct of interactive gaming. Imposes an adjusted gross receipts tax of 20% on interactive gaming. Provides for revenue sharing to cities and counties in which casinos are operated. Makes an appropriation. Makes conforming and technical changes.

**Effective:** Upon passage; July 1, 2023.

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## Manning

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January 19, 2023, read first time and referred to Committee on Public Policy.

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First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

## HOUSE BILL No. 1536

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

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

- 1 SECTION 1. IC 4-1-8-1, AS AMENDED BY P.L.58-2019,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2023]: Sec. 1. (a) No individual may be compelled by any  
4 state agency, board, commission, department, bureau, or other entity of  
5 state government (referred to as "state agency" in this chapter) to  
6 provide the individual's Social Security number to the state agency  
7 against the individual's will, absent federal requirements to the  
8 contrary. However, the provisions of this chapter do not apply to the  
9 following:  
10 (1) Department of state revenue.  
11 (2) Department of workforce development.  
12 (3) The programs administered by:  
13 (A) the division of family resources;  
14 (B) the division of mental health and addiction;  
15 (C) the division of disability and rehabilitative services;  
16 (D) the division of aging; and  
17 (E) the office of Medicaid policy and planning;



of the office of the secretary of family and social services.

(4) Auditor of state.

(5) State personnel department.

(6) Secretary of state, with respect to the registration of broker-dealers, agents, and investment advisors.

(7) The lobby registration commission, with respect to the registration of lobbyists.

(8) Indiana department of administration, with respect to bidders on contracts.

(9) Indiana department of transportation, with respect to bidders on contracts.

(10) Indiana professional licensing agency.

(11) Department of insurance, with respect to licensing of insurance producers.

(12) The department of child services.

(13) A pension fund administered by the board of trustees of the Indiana public retirement system.

(14) The state police benefit system.

(15) The alcohol and tobacco commission.

(16) The state department of health, for purposes of licensing radiologic technologists under IC 16-41-35-29(c).

(b) The bureau of motor vehicles may, notwithstanding this chapter, require the following:

(1) That an individual include the individual's Social Security number in an application for an official certificate of title for any vehicle required to be titled under IC 9-17.

(2) That an individual include the individual's Social Security number on an application for registration.

(3) That a corporation, limited liability company, firm, partnership, or other business entity include its federal tax identification number on an application for registration.

(4) That an individual include the individual's Social Security number on an application for a license, a permit, or an identification card.

(c) The Indiana department of administration, the Indiana department of transportation, and the Indiana professional licensing agency may require an employer to provide its federal employer identification number.

(d) The department of correction may require a committed offender to provide the offender's Social Security number for purposes of matching data with the Social Security Administration to determine benefit eligibility.



(e) The Indiana gaming commission may, notwithstanding this chapter, require the following:

(1) That an individual include the individual's Social Security number:

(A) in any application for a riverboat owner's license, supplier's license, or occupational license; or

(B) in any document submitted to the commission in the course of an investigation necessary to ensure that gaming under IC 4-32.3, IC 4-33, ~~and~~ IC 4-35, **IC 4-38, and IC 4-39** is conducted with credibility and integrity.

(2) That a sole proprietorship, a partnership, an association, a fiduciary, a corporation, a limited liability company, or any other business entity include its federal tax identification number on an application for a riverboat owner's license or supplier's license.

(f) Notwithstanding this chapter, the department of education established by IC 20-19-3-1 may require an individual who applies to the department for a license or an endorsement to provide the individual's Social Security number. The Social Security number may be used by the department only for conducting a background investigation, if the department is authorized by statute to conduct a background investigation of an individual for issuance of the license or endorsement.

SECTION 2. IC 4-3-26-7, AS ADDED BY P.L.269-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7. As used in this chapter, "government information" refers to any information created, received, maintained, or stored by or otherwise in the control of a governmental entity, regardless of the form or the media on which the information is recorded. The term does not include any of the following:

(1) The investigative records of law enforcement agencies that employ the law enforcement officers listed in IC 35-31.5-2-185.

(2) The confidential advisory opinions requested or given by the office of the inspector general.

(3) Other information made confidential by IC 4-2-6, IC 4-2-7, IC 5-2-4, IC 31-33-18, IC 9-32-16-1, IC 10-13-3, 26 CFR 20, or 28 CFR 23.

(4) Confidential investigative records related to an investigation under IC 4-31, IC 4-33, ~~or~~ IC 4-35, **IC 4-38, or IC 4-39** and any other information classified as confidential under IC 4-31, IC 4-33, ~~or~~ IC 4-35, **IC 4-38, or IC 4-39**.

SECTION 3. IC 4-30-2-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY



1, 2023]: **Sec. 2.5. "Digital lottery" means a lottery technology solution that allows lottery players to participate in lottery games through digital distribution channels.**

SECTION 4. IC 4-30-2-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 3.5. "Draw game" means a lottery game in which winners are determined by a random selection conducted by the commission at a designated selection event.**

SECTION 5. IC 4-30-2-7.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7.5. "Scratch-off game" means a lottery game that, upon the reveal of numbers, play symbols, or other insignia, immediately indicates whether the player has won a prize.**

SECTION 6. IC 4-30-2-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 9. "Video gaming terminal" or "video lottery terminal" means an electronic video game machine that, upon insertion of cash, electronic cards, or vouchers, or a combination of cash, electronic cards, or vouchers, is available to play or simulate the play of a video game, including video poker, line up, and blackjack, using a video display and microprocessors from which the player may receive free games or credits that may be redeemed for cash.**

SECTION 7. IC 4-30-3-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7. The commission shall adopt rules under IC 4-22-2 governing the establishment, implementation, and operation of the lottery, including the following:**

(1) The type of lottery games to be conducted, except that:

(A) the name of an elected official may not appear on a ticket or play slip of a lottery game, on a prize, or on an instrument used for the payment of prizes, unless the prize is in the form of a state warrant; and

(B) coins or currency may not be dispensed from an electronic computer terminal or device used in a lottery game.

(2) The sales price of tickets.

(3) The number and size of prizes.

(4) The method of selecting winning tickets. However, if a lottery game involves a drawing, the drawing must be public and witnessed by an independent certified public accountant. The equipment used in the drawing shall be inspected before and after the drawing.

(5) The manner of payment of prizes to holders of winning tickets.



- (6) The frequency of drawings of winning tickets.
- (7) The number and type of locations at which tickets may be purchased.
- (8) The method to be used in selling tickets.
- (9) The manner and amount of compensation of retailers.
- (10) The feasibility of using for a lottery game a terminal or device that may be operated solely by the player without the assistance of a retailer.
- (11) A system of internal audits.
- (12) The establishment of a code of ethics for officers and employees of the commission.
- (13) Any other matters necessary or desirable for the efficient or economical operation of the lottery or for the convenience of the public.
- (14) The sale of draw games and scratch-off games over the Internet as authorized by section 20(c) of this chapter.**

SECTION 8. IC 4-30-3-20, AS ADDED BY P.L.174-2022, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 20. (a) This section does not apply to:

- (1) an activity specifically authorized by:
  - (A) IC 4-29 or IC 4-29.5 (tribal gaming and tribal-state compact);
  - (B) IC 4-31 (pari-mutuel wagering on horse races);
  - (C) IC 4-33 (riverboat gambling);
  - (D) IC 4-35 (gambling games at racetracks); ~~or~~
  - (E) IC 4-38 (sports wagering); **or**
  - (F) IC 4-39 (interactive gaming);**
- (2) the purchase of a tangible lottery ticket for a lottery game from:
  - (A) a retailer authorized to sell lottery tickets under IC 4-30-9; or
  - (B) the commission; or
- (3) a free:
  - (A) interactive game; or
  - (B) promotional game;
 offered by the commission.
- (b) **Except as provided in subsection (c),** unless specifically granted authority by a statute passed by the general assembly, the commission ~~and Indiana gaming commission~~ shall not, independently or by public-private partnership, operate or authorize the use or operation of the following:
  - (1) A lottery game operated through a video lottery terminal.



(2) A lottery game operated through a video gaming terminal.

(3) A digital lottery game that simulates the play of slot machines using visualizations of the essential features of a gambling game played on a slot machine, including spinning reels, a slot machine pull mechanism, a spinning drum, and varied pay lines that reveal winning outcomes.

~~(3)~~ (4) The sale of digital representations of

~~(A)~~ casino-style games, including:

~~(i)~~ (A) poker;

~~(ii)~~ (B) roulette;

~~(iii)~~ (C) slot machines; or

~~(iv)~~ (D) blackjack;

over the Internet. ~~or~~

~~(B)~~ scratch-off games.

(c) The commission may operate or authorize the use or operation of the sale of the following digital lottery games over the Internet:

(1) Draw games.

(2) Digital representations of scratch-off games.

SECTION 9. IC 4-30-3-21 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 21. The commission shall adopt rules to establish and implement a voluntary exclusion program that provides the following:

(1) That a person who participates in the voluntary exclusion program agrees to refrain from purchasing digital lottery games.

(2) That the name of a person participating in the program will be included on a list of persons excluded from purchasing digital lottery games under the jurisdiction of the commission.

(3) That a contractor operating a digital distribution channel for the sale of digital lottery games under the jurisdiction of the commission shall make all reasonable attempts, as determined by the commission, to cease all direct marketing efforts to a person participating in the program.

(4) That a contractor operating a digital distribution channel for the sale of digital lottery games under the jurisdiction of the commission may not accept payment or extend credit in any manner to a person participating in the program. However, the voluntary exclusion program does not preclude the commission or a contractor from seeking the payment of a debt accrued by a person before entering the program.



SECTION 10. IC 4-33-2-2, AS AMENDED BY P.L.293-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 2. (a) "Adjusted gross receipts" means:

(1) the total of all cash and property (including checks received by a licensee or an operating agent) whether collected or not, received by a licensee or an operating agent from gaming operations; minus

(2) the total of:

(A) all cash paid out as winnings to patrons; and

(B) uncollectible gaming receivables, not to exceed the lesser of:

(i) a reasonable provision for uncollectible patron checks received from gaming operations; or

(ii) two percent (2%) of the total of all sums, including checks, whether collected or not, less the amount paid out as winnings to patrons.

For purposes of this section, a counter or personal check that is invalid or unenforceable under this article is considered cash received by the licensee or operating agent from gaming operations.

(b) The term does not include amounts received from:

(1) sports wagering conducted by a licensee or **an** operating agent under IC 4-38; **or**

(2) **interactive gaming conducted by a licensee or an operating agent under IC 4-39.**

SECTION 11. IC 4-33-2-11.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 11.7. "Interactive gaming" has the meaning set forth in IC 4-39-2-4.**

SECTION 12. IC 4-33-3-22, AS AMENDED BY P.L.293-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 22. (a) The commission shall file a written annual report with the governor before September 1 of each year. The commission shall file any additional reports that the governor requests.

(b) The annual report filed under this section must include a statement describing the following:

(1) The receipts and disbursements of the commission.

(2) Actions taken by the commission.

(3) The development and fiscal impact of:

(A) sports wagering conducted under IC 4-38; **and**

(B) **interactive gaming conducted under IC 4-39.**

(4) Any additional information and recommendations that:

(A) the commission considers useful; or





(B) the governor requests.

SECTION 13. IC 4-33-9-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 0.5. This chapter may not be construed to restrict the authorized use of the Internet to conduct sports wagering under IC 4-38 or interactive gaming under IC 4-39 by:**

- (1) a licensed owner;
- (2) an operating agent;
- (3) a trustee in accordance with IC 4-33-21;
- (4) a vendor contracted with a licensed owner, an operating agent, or a trustee for the conduct of sports wagering under IC 4-38; or
- (5) an interactive gaming management vendor contracted with a licensed owner, an operating agent, or a trustee for the conduct of interactive gaming under IC 4-39.

SECTION 14. IC 4-33-12-0.5, AS AMENDED BY P.L.293-2019, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 0.5. This chapter does not apply to the following:**

- (1) A riverboat in a historic hotel district.
- (2) Sports wagering conducted under IC 4-38 at a riverboat.
- (3) **Interactive gaming conducted under IC 4-39 by a licensed owner.**

SECTION 15. IC 4-33-13-0.5, AS ADDED BY P.L.293-2019, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 0.5. This chapter does not apply to the following:**

- (1) Sports wagering conducted under IC 4-38 at a riverboat.
- (2) **Interactive gaming conducted under IC 4-39 by a licensed owner.**

SECTION 16. IC 4-33-14-11, AS ADDED BY P.L.293-2019, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 11. This chapter applies to:**

- (1) sports wagering conducted under IC 4-38; **and**
  - (2) **interactive gaming conducted under IC 4-39;**
- by a licensed owner or an operating agent.

SECTION 17. IC 4-35-2-2, AS AMENDED BY P.L.293-2019, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 2. (a) "Adjusted gross receipts" means:**

- (1) the total of all cash and property (including checks received by a licensee, whether collected or not) received by a licensee from gambling games, including amounts that are distributed by a licensee under IC 4-35-7-12; minus
- (2) the total of:



- 1 (A) all cash paid out to patrons as winnings for gambling
- 2 games; and
- 3 (B) uncollectible gambling game receivables, not to exceed the
- 4 lesser of:
- 5 (i) a reasonable provision for uncollectible patron checks
- 6 received from gambling games; or
- 7 (ii) two percent (2%) of the total of all sums, including
- 8 checks, whether collected or not, less the amount paid out to
- 9 patrons as winnings for gambling games.

10 For purposes of this section, a counter or personal check that is invalid  
 11 or unenforceable under this article is considered cash received by the  
 12 licensee from gambling games.

- 13 (b) The term does not include amounts received from:
- 14 (1) sports wagering conducted by a licensee under IC 4-38; **or**
- 15 (2) **interactive gaming conducted by a licensee under IC 4-39.**
- 16 SECTION 18. IC 4-35-2-5, AS AMENDED BY P.L.293-2019,
- 17 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 18 JULY 1, 2023]: Sec. 5. (a) "Gambling game" means any of the
- 19 following:

- 20 (1) A game played on a slot machine approved for wagering under
- 21 this article by the commission.
- 22 (2) A game played on a slot machine through the use of a mobile
- 23 gaming device approved under this article.
- 24 (3) A table game approved by the commission under
- 25 IC 4-35-7-19.

- 26 (b) The term does not include:
- 27 (1) sports wagering conducted under IC 4-38; **or**
- 28 (2) **interactive gaming conducted under IC 4-39.**
- 29 SECTION 19. IC 4-35-8-0.5 IS ADDED TO THE INDIANA CODE
- 30 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 31 1, 2023]: **Sec. 0.5. This chapter does not apply to the following:**

- 32 (1) **Sports wagering conducted under IC 4-38.**
- 33 (2) **Interactive gaming conducted under IC 4-39.**
- 34 SECTION 20. IC 4-35-8.5-0.5, AS ADDED BY P.L.293-2019,
- 35 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 36 JULY 1, 2023]: Sec. 0.5. This chapter does not apply to sports
- 37 wagering conducted under IC 4-38 **or interactive gaming conducted**
- 38 **under IC 4-39.**

- 39 SECTION 21. IC 4-35-11-11, AS ADDED BY P.L.293-2019,
- 40 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 41 JULY 1, 2023]: Sec. 11. This chapter applies to:
- 42 (1) sports wagering conducted under IC 4-38; **and**



1           **(2) interactive gaming conducted under IC 4-39;**  
 2           by a licensee.

3           SECTION 22. IC 4-39 IS ADDED TO THE INDIANA CODE AS  
 4           A **NEW ARTICLE TO READ AS FOLLOWS** [EFFECTIVE JULY 1,  
 5           2023]:

6           **ARTICLE 39. INTERACTIVE GAMING**

7           **Chapter 1. General Provisions**

8           **Sec. 1.** Pursuant to 15 U.S.C. 1172, approved January 2, 1951,  
 9           the state of Indiana, acting by and through duly elected and  
 10          qualified members of the legislature, does declare and proclaim  
 11          that the state is exempt from the provisions of 15 U.S.C. 1172.

12          **Sec. 2.** All shipments of gambling devices used to conduct  
 13          interactive gaming under this article to an operating agent, a  
 14          licensed owner, a permit holder, an interactive gaming  
 15          management vendor, or a licensed supplier in Indiana, the  
 16          registering, recording, and labeling of which have been completed  
 17          by the manufacturer or dealer thereof in accordance with 15  
 18          U.S.C. 1171 through 1178, are legal shipments of gambling devices  
 19          into Indiana.

20          **Sec. 3.** The commission shall regulate and administer interactive  
 21          gaming conducted by an interactive gaming licensee or an  
 22          interactive gaming management vendor under this article.

23          **Sec. 4.** The commission has the following powers and duties for  
 24          the purpose of administering, regulating, and enforcing the system  
 25          of interactive gaming authorized under this article:

- 26           (1) All powers and duties specified in this article.
- 27           (2) All powers necessary and proper to fully and effectively
- 28           execute this article.
- 29           (3) Jurisdiction and supervision over the following:
  - 30               (A) All interactive gaming operations in Indiana.
  - 31               (B) All persons engaged in offering, conducting, or
  - 32               participating in interactive gaming under this article.
- 33           (4) Any power specified in IC 4-33 or IC 4-35 concerning the
- 34           supervision of persons conducting gambling games, patrons
- 35           wagering on gambling games, and the facilities in which
- 36           gambling games are conducted.
- 37           (5) To investigate and reinvestigate applicants, interactive
- 38           gaming licensees, interactive gaming management vendors,
- 39           and other licensees involved with interactive gaming
- 40           conducted under this article.
- 41           (6) To approve premises for use as a live game studio.
- 42           (7) To investigate alleged violations of this article.



(8) To revoke, suspend, or renew licenses under this article.

(9) To take any reasonable or appropriate action to enforce this article.

**Sec. 5. The commission may do the following:**

(1) Take appropriate administrative enforcement or disciplinary action against a person who violates this article.

(2) Conduct hearings.

(3) Issue subpoenas for the attendance of witnesses and subpoenas duces tecum for the production of books, records, and other relevant documents.

(4) Administer oaths and affirmations to witnesses.

## **Chapter 2. Definitions**

**Sec. 1. Except as otherwise provided, the definitions set forth in IC 4-33 and IC 4-35 apply to this article.**

**Sec. 2. (a) "Adjusted gross receipts" means the total of all cash and property (including checks received by an interactive gaming licensee, whether collected or not) received by an interactive gaming licensee from interactive gaming, including amounts that are distributed by an interactive gaming licensee under IC 4-39-5-8, minus the total of:**

(1) all cash paid out as winnings to interactive gaming patrons, including the cash equivalent of any merchandise or thing of value awarded as a prize;

(2) uncollectible gaming receivables, not to exceed the lesser of:

(A) a reasonable provision for uncollectible patron checks received from interactive games; or

(B) two percent (2%) of the total of all sums (including checks, whether collected or not) less the amount paid out as winnings to interactive gaming patrons; and

(3) subject to IC 4-39-9-3, the monetary value of qualified wagering granted to interactive gaming patrons as an incentive to participate in, or granted as a result of participation in, interactive gaming.

**(b) The term does not include any receipts received under IC 4-33, IC 4-35, or IC 4-38.**

**Sec. 3. (a) "Interactive game" means an Internet based version, or a variation of, poker, blackjack, or other card, slot, and gambling games typically offered in a casino, and any other game approved by the commission:**

(1) in which an individual wagers money or something of monetary value for the opportunity to win money or



1 something of monetary value;

2 (2) in which the outcome of the game is determined by a  
3 random number generator or on a live stream of game play;  
4 and

5 (3) which is accessed by an Internet connected computer or  
6 mobile device.

7 The term includes gaming tournaments conducted via the Internet  
8 in which players compete against one another or in one (1) or more  
9 of the games authorized in this article.

10 (b) The term does not include sports wagering conducted under  
11 IC 4-38 or paid fantasy sports games conducted under IC 4-33-24.

12 (c) The term does not include games played on mobile gaming  
13 devices under IC 4-33-9-17 or IC 4-35-7-1.5 by patrons who are  
14 present in the gaming area of a riverboat or gambling game  
15 facility.

16 Sec. 4. "Interactive gaming" means offering or conducting  
17 interactive games.

18 Sec. 5. "Interactive gaming licensee" means any of the following  
19 persons holding an interactive gaming license issued under this  
20 article:

21 (1) A person holding an owner's license under IC 4-33-6.

22 (2) A person operating a riverboat in accordance with an  
23 operating agent contract entered into under IC 4-33-6.5.

24 (3) A person holding a gambling game license under IC 4-35.

25 Sec. 6. "Interactive gaming management vendor" means a  
26 licensed business entity that operates an interactive gaming  
27 platform pursuant to an agreement with an interactive gaming  
28 licensee.

29 Sec. 7. "Interactive gaming operator" means an interactive  
30 gaming licensee that operates an interactive gaming platform or,  
31 if an interactive gaming management vendor operates the  
32 interactive gaming platform, the interactive gaming management  
33 vendor.

34 Sec. 8. "Interactive gaming platform" means the combination  
35 of hardware and software or other technology designed and used  
36 to manage, conduct, and record interactive gaming and the wagers  
37 associated with interactive gaming.

38 Sec. 9. "Interactive gaming skin" means a distinctly branded  
39 interactive gaming platform operated by an interactive gaming  
40 operator, which may encompass a website, mobile application, or  
41 other portal to the interactive gaming platform. The brand may be  
42 that of the interactive gaming licensee or its affiliate, the



1 interactive gaming management vendor, or another brand as  
 2 agreed upon by the interactive gaming licensee and its interactive  
 3 gaming management vendor.

4 Sec. 10. "Interactive live game provider" means a licensed  
 5 business entity that operates a live game studio pursuant to an  
 6 agreement with an entity authorized by the commission to  
 7 participate in conducting interactive gaming.

8 Sec. 11. "Interactive wagering" means the placing of wagers  
 9 with an interactive gaming operator by persons who are either  
 10 physically present in Indiana when placing a wager or otherwise  
 11 permitted to place a wager by law.

12 Sec. 12. "Interactive wagering account" means a financial  
 13 record established and accessible through an interactive gaming  
 14 platform for an individual participant in which the participant  
 15 may deposit and withdraw funds for interactive gaming and other  
 16 authorized purchases and to which the interactive gaming operator  
 17 may credit winnings or other amounts due to that participant or  
 18 authorized by that participant.

19 Sec. 13. "Live game" means a game, including poker, blackjack,  
 20 or other card, slot, and gambling games typically offered in a  
 21 casino, and any other game approved by the commission, that is  
 22 conducted by an occupational licensee in a live game environment  
 23 in which participants have the ability to review game play,  
 24 participate in the game in real time, and communicate game  
 25 decisions through an Internet connected computer, mobile device,  
 26 interactive gaming device, or multiuse computing device.

27 Sec. 14. "Live game studio" means a physical location in  
 28 Indiana that uses live video streaming technology to provide live  
 29 games to a participant's Internet connected computer, mobile  
 30 device, interactive gaming device, or multiuse computing device  
 31 that allows the participant to participate in live streamed live  
 32 games and interact with the occupational licensee who is  
 33 conducting the live game.

34 Sec. 15. "Permissible jurisdiction" means another jurisdiction  
 35 from which wagers may be accepted according to an interactive  
 36 gaming reciprocal agreement entered into under IC 4-39-10.

37 Sec. 16. "Person" means an individual, a sole proprietorship, a  
 38 partnership, an association, a fiduciary, a corporation, a limited  
 39 liability company, or any other business entity.

#### 40 Chapter 3. Powers and Duties of the Commission

41 Sec. 1. The commission has the same powers and duties with  
 42 respect to the offering of interactive gaming as it has with respect



1 to noninteractive gaming conducted under IC 4-33 and IC 4-35. If  
 2 the exercise of a power or duty described in IC 4-33 or IC 4-35 is  
 3 incompatible with the offering of gambling games over the Internet  
 4 or the provisions of this article, this article prevails.

5 Sec. 2. The commission shall adopt emergency rules under  
 6 IC 4-22-2-37.1 not more than sixty (60) days after the effective date  
 7 of this article to enable the expedient offering of interactive gaming  
 8 by interactive gaming licensees.

9 Sec. 3. In adopting rules and regulating the conduct of  
 10 interactive gaming, the commission shall to the greatest extent  
 11 possible use existing rules applicable to the offering of gambling  
 12 games in Indiana and amend existing rules and adopt new rules or  
 13 standards only as reasonably necessary to implement interactive  
 14 gaming under this article. The commission shall look to the  
 15 interactive gaming rules of other regulated jurisdictions in the  
 16 United States and shall implement consistent rules to the greatest  
 17 extent possible.

#### 18 Chapter 4. Authority to Conduct Interactive Gaming

19 Sec. 1. A person holding an interactive gaming license issued  
 20 under this chapter is authorized to conduct interactive gaming  
 21 under this article beginning September 1, 2023.

22 Sec. 2. Beginning July 1, 2023, the commission may accept  
 23 applications for interactive gaming licenses from any licensed  
 24 owner, operating agent, or permit holder that wishes to conduct  
 25 interactive gaming under this article. The commission shall  
 26 prescribe the form of the application.

27 Sec. 3. A licensed owner, operating agent, or permit holder that  
 28 wishes to offer interactive gaming under this article must:

- 29 (1) submit an application to the commission in the manner  
 30 prescribed by the commission; and
- 31 (2) pay an initial fee of five hundred thousand dollars  
 32 (\$500,000).

33 The commission shall deposit fees received under this section in the  
 34 interactive gaming fund established by section 6 of this chapter.

#### 35 Sec. 4. (a) Upon:

- 36 (1) receipt of the application and fee required by section 3 of  
 37 this chapter; and
- 38 (2) approving the submitted application;

39 the commission shall issue an interactive gaming license to a  
 40 licensed owner, an operating agent, or a permit holder authorizing  
 41 the licensed owner, operating agent, or permit holder to conduct  
 42 interactive gaming under this article.



(b) An interactive gaming license must be renewed annually upon the payment of an annual administrative fee of fifty thousand dollars (\$50,000). The fee imposed by this section is due one (1) year after the date that the interactive gaming licensee commences interactive gaming operations under this article and on each annual anniversary date thereafter. The commission shall deposit the administrative fees received under this section in the interactive gaming fund established by section 6 of this chapter.

Sec. 5. When considering a person's application for an interactive gaming license, the commission may issue the person a temporary license to conduct business under this article if:

(1) the person has filed with the commission:

(A) a completed application; or

(B) a substantially complete application as determined by the commission; and

(2) the person agrees in writing to the following conditions of the temporary license issued under this section:

(A) The temporary license does not create a right or privilege to continue conducting business under this article if the person's application for an interactive gaming license to conduct interactive gaming is rejected by the commission.

(B) The commission may rescind the person's temporary license to do business under this article at any time, with or without notice to the person, if:

(i) the commission is informed that the suitability of the person may be at issue; and

(ii) the person fails to cooperate with the commission in the commission's investigation into the qualifications and suitability of the person for an interactive gaming license.

Sec. 6. (a) The interactive gaming fund is established.

(b) The commission shall administer the fund.

(c) Subject to subsection (d), the fund consists of the following:

(1) Initial fees deposited in the fund under section 3 of this chapter.

(2) Annual administrative fees deposited in the fund under section 4 of this chapter.

(3) Fees deposited in the fund under IC 4-39-7-2, IC 4-39-7-3, or IC 4-39-7-4.

(d) The maximum amount that may be deposited in the fund in a state fiscal year is two million dollars (\$2,000,000). If the





1 maximum amount is deposited in the fund during a state fiscal  
 2 year, any amount that exceeds two million dollars (\$2,000,000) that  
 3 would otherwise be deposited in the fund during the state fiscal  
 4 year shall instead be immediately transferred to the state general  
 5 fund.

6 (e) The expenses of administering the fund shall be paid from  
 7 the fund.

8 (f) The treasurer of state shall invest the money in the fund not  
 9 currently needed to meet the obligations of the fund in the same  
 10 manner that other public money may be invested. Interest that  
 11 accrues from these investments shall be deposited in the fund.

12 (g) Money in the fund at the end of a state fiscal year does not  
 13 revert to the state general fund. However, if the total amount in the  
 14 fund exceeds two million dollars (\$2,000,000) at the end of a state  
 15 fiscal year, the amount that exceeds two million dollars  
 16 (\$2,000,000) reverts to the state general fund.

17 (h) Money in the fund may be used by the commission for the  
 18 following purposes:

19 (1) To advertise and promote the availability of problem  
 20 gaming resources.

21 (2) To administer the self-exclusion list.

22 (3) To provide grants to organizations engaged in activities  
 23 for:

24 (A) the prevention of;

25 (B) education regarding;

26 (C) provider credentialing of professionals engaged in the  
 27 treatment and prevention of; and

28 (D) the treatment of;

29 compulsive gambling.

30 (4) To administer this article.

31 Money in the fund is continuously appropriated to the commission  
 32 for the purposes of the fund.

33 Sec. 7. An interactive gaming licensee may offer no more than  
 34 three (3) individually branded interactive gaming skins. The  
 35 interactive gaming licensee may operate the platforms or contract  
 36 with up to three (3) interactive gaming management vendors to  
 37 conduct interactive gaming in accordance with the rules of the  
 38 commission and this article.

39 Sec. 8. The primary server or servers for an interactive gaming  
 40 platform or live game studio must be located within a facility that  
 41 is secure and inaccessible to the public and that is approved by the  
 42 commission. The primary server or servers may be located



anywhere in the United States that is in compliance with federal law. The intermediate routing of electronic data in connection with interactive gaming, including across state lines, does not determine the location or locations in which a wager is initiated, received, or otherwise made.

**Sec. 9.** An interactive gaming licensee, and any interactive gaming management vendors conducting interactive gaming under an agreement with the interactive gaming licensee, may only offer an interactive game that is approved by the commission.

**Sec. 10.** An interactive live game provider must hold a supplier's license issued under this article to provide live games from a live game studio.

#### **Chapter 5. Conduct of Interactive Gaming**

**Sec. 1.** An interactive gaming operator may accept wagers on an interactive gaming platform only if:

- (1) the wager is placed directly with the interactive gaming operator through an interactive wagering account; and
- (2) the interactive gaming operator has verified that the person placing the wager is:
  - (A) at least twenty-one (21) years of age;
  - (B) the holder of the interactive wagering account; and
  - (C) physically located within Indiana or a permissible jurisdiction using technology meeting the requirements of this chapter.

**Sec. 2. (a)** An interactive gaming platform must include age and location verification mechanisms and requirements that are designed to prevent an individual who is:

- (1) less than twenty-one (21) years of age;
- (2) not physically located within Indiana or a permissible jurisdiction; or
- (3) otherwise excluded from interactive gaming;

from establishing an interactive wagering account or from engaging in interactive gaming under this article.

**(b)** The internal controls of an interactive gaming platform must include mechanisms to do the following:

- (1) Verify that an interactive gaming patron is at least twenty-one (21) years of age.
- (2) Ensure that wagering on interactive games is limited to transactions that are initiated and received within Indiana or a permissible jurisdiction.
- (3) Verify that an interactive gaming patron is physically located within Indiana or a permissible jurisdiction.



1 (c) The interactive gaming platform's age, location, and  
 2 eligibility detection mechanisms must monitor attempts to access  
 3 the system and must use commercially reasonable attempts to  
 4 block unauthorized attempts to place an interactive gaming wager  
 5 through the system.

6 Sec. 3. An interactive gaming operator shall implement  
 7 appropriate data security standards to prevent unauthorized  
 8 access by any person whose identity has not been verified or cannot  
 9 be verified, in accordance with rules adopted by the commission.  
 10 The interactive gaming platform's identity verification mechanisms  
 11 must monitor attempts to access the system and must use  
 12 commercially reasonable attempts to block unauthorized attempts  
 13 by any person seeking access to a wagering account held by  
 14 another person.

15 Sec. 4. (a) An interactive gaming operator shall implement  
 16 appropriate and commercially reasonable standards to protect the  
 17 privacy and security of participants.

18 (b) The commission may require an interactive gaming operator  
 19 to establish and offer participants the option to protect their  
 20 accounts with multi-factor authentication or authentication  
 21 features such as personal identification numbers or biometric data.

22 Sec. 5. An interactive gaming licensee shall establish internal  
 23 and accounting controls applicable to interactive gaming, and shall  
 24 ensure that the security and integrity of all financial transactions  
 25 in connection with interactive gaming shall comply with this article  
 26 and any rules adopted by the commission.

27 Sec. 6. An interactive gaming licensee shall:

- 28 (1) collect, report, and pay all applicable taxes and fees; and
- 29 (2) maintain all books, records, and documents pertaining to
- 30 the licensee's interactive gaming operations in a manner and
- 31 at a location within Indiana approved by the commission.

32 Sec. 7. All books, records, and documents concerning interactive  
 33 gaming must be available for inspection upon commercially  
 34 reasonable notice by the commission during ordinary business  
 35 hours in accordance with the commission's regulations, and must  
 36 be maintained in a manner and during periods of time as the  
 37 commission requires.

38 Sec. 8. (a) This section applies only to an interactive gaming  
 39 licensee that operates both a riverboat under IC 4-33 and a  
 40 gambling game facility under IC 4-35.

41 (b) An interactive gaming licensee shall, before the fifteenth day  
 42 of each month, distribute for the support of the Indiana horse



1 racing industry an amount equal to twelve percent (12%) of the  
 2 total adjusted gross receipts received from all authorized  
 3 interactive gaming offered by the interactive gaming licensee.

4 (c) The Indiana horse racing commission shall enforce the  
 5 requirements of this section.

6 (d) An interactive gaming licensee shall distribute the money  
 7 devoted to horse racing purses and to horsemen's associations in  
 8 the manner provided under IC 4-35-7-12.

9 **Chapter 6. Interactive Wagering Account Requirements**

10 **Sec. 1.** A person who is less than twenty-one (21) years of age  
 11 may not wager under this article.

12 **Sec. 2. (a)** An eligible person may establish an interactive  
 13 wagering account:

14 (1) in person at a riverboat or racetrack; or

15 (2) over the Internet without appearing in person.

16 (b) An interactive gaming operator shall adopt reasonable  
 17 procedures to ensure that an eligible person establishes not more  
 18 than one (1) interactive wagering account with the interactive  
 19 gaming operator. However, an interactive gaming operator may  
 20 allow an eligible person to use one (1) account for both interactive  
 21 gaming and sports wagering under IC 4-38.

22 **Sec. 3.** An interactive gaming patron may deposit and withdraw  
 23 funds from the patron's interactive wagering account:

24 (1) in person at a riverboat or racetrack;

25 (2) over the Internet through electronic means, including  
 26 through the use of:

27 (A) debit and credit cards;

28 (B) automated clearing house transfers; or

29 (C) wire transfers;

30 (3) through the use of deposits and withdrawals of cash or  
 31 gaming chips at cashiering locations approved by the  
 32 commission;

33 (4) through the use of reliable prepaid cards, cash  
 34 complimentary, qualified wagering, or bonus credits; or

35 (5) through any other means approved by the commission.

36 **Sec. 4.** An interactive gaming operator shall maintain within its  
 37 internal controls mechanisms and procedures for detecting  
 38 unauthorized access to interactive wagering accounts,  
 39 unauthorized attempts to access interactive wagering accounts, and  
 40 suspicious interactive wagering activity constituting cheating, theft,  
 41 embezzlement, collusion, money laundering, and other illegal  
 42 activity.



**Chapter 7. Other License and Integrity Requirements**

**Sec. 1. A person may not obtain any of the following licenses required for conducting business under this article unless the person meets the suitability requirements determined by the commission:**

- (1) An interactive gaming license.**
- (2) An interactive gaming management vendor license.**
- (3) A supplier's license.**
- (4) An occupational license.**

**Sec. 2. (a) A person must hold an interactive gaming management vendor license before operating as an interactive gaming management vendor. A person may apply for an interactive gaming management vendor license in the form required by the commission. The commission may provide an abbreviated application for a person that holds or has a pending application for a vendor license under IC 4-38 for sports wagering or other types of gaming under Indiana law. To obtain an interactive gaming management vendor license under this article, an applicant must pay to the commission a license fee of one hundred thousand dollars (\$100,000).**

**(b) An interactive gaming management vendor license issued under this section is valid for one (1) year and may be renewed upon payment of a renewal fee of twenty-five thousand dollars (\$25,000).**

**(c) The commission shall deposit fees received under this section in the interactive gaming fund established by IC 4-39-4-6.**

**Sec. 3. (a) An interactive gaming platform and all technology used to conduct interactive gaming must be:**

- (1) approved by the commission; and**
- (2) acquired by an interactive gaming operator from a person holding a supplier's license or an interactive gaming management vendor license.**

**(b) The commission shall determine whether other supplies and equipment used to conduct interactive gaming require an interactive gaming licensee to acquire the supplies and equipment from a person holding a supplier's license or an interactive gaming management vendor license. The commission shall deposit any license fees collected under this section in the interactive gaming fund established by IC 4-39-4-6.**

**(c) IC 4-33-7 applies to the conduct of interactive gaming under this article and the acquisition of the technology, equipment, and supplies necessary to conduct interactive gaming.**



1       **Sec. 4.** The commission shall determine the occupations related  
 2 to interactive gaming and live games that require an occupational  
 3 license. IC 4-33-8 applies to the conduct of interactive gaming  
 4 under this article. The commission shall deposit any license fees  
 5 collected under this section in the interactive gaming fund  
 6 established by IC 4-39-4-6.

7       **Sec. 5.** An interactive gaming operator shall conduct:

- 8           (1) background checks on newly hired employees engaged in  
 9 activities related to the conducting of interactive gaming; and  
 10          (2) annual background checks on all existing employees  
 11 engaged in activities related to the conducting of interactive  
 12 gaming.

13       A background check conducted under this section must include a  
 14 search for criminal history and any charges or convictions  
 15 involving corruption, identity theft, the manipulation of sporting  
 16 events, and any association with organized crime.

17       **Sec. 6.** The commission may require a background investigation  
 18 of any officer, director, or shareholder holding at least five percent  
 19 (5%) of the equity interests of an applicant for a license described  
 20 in this chapter. The commission may recover the actual costs of an  
 21 investigation conducted under this section from the applicant. The  
 22 commission may accept a background investigation conducted by  
 23 another state with licensing standards similar to those established  
 24 under this article and the rules of the commission.

## 25       **Chapter 8. Responsible Interactive Gaming**

26       **Sec. 1. (a)** The commission shall develop responsible interactive  
 27 gaming measures, including a statewide responsible gaming data  
 28 base identifying individuals who are prohibited from establishing  
 29 an interactive wagering account or participating in interactive  
 30 gaming offered by an interactive gaming operator. The commission  
 31 shall adopt rules under IC 4-22-2 for the establishment and  
 32 maintenance of the responsible gaming data base.

33       (b) The commission shall maintain the responsible gaming data  
 34 base in a confidential manner. Notwithstanding any law to the  
 35 contrary, an individual's self-exclusion election and the  
 36 information contained in the responsible gaming data base are  
 37 confidential for purposes of IC 5-14-3.

38       **Sec. 2. (a)** The commission shall adopt rules under IC 4-22-2 to  
 39 establish and implement a voluntary exclusion program for  
 40 interactive gaming under this article that meets the requirements  
 41 of subsection (b). The voluntary exclusion program for interactive  
 42 gaming may be administered in conjunction with a voluntary



1 exclusion program established and implemented under IC 4-33 or  
2 IC 4-35.

3 (b) Rules adopted under subsection (a) must provide the  
4 following:

5 (1) Except as provided by rule of the commission, a person  
6 who participates in the voluntary exclusion program agrees  
7 to refrain from participating in interactive gaming offered by  
8 any person authorized to conduct interactive gaming by this  
9 article.

10 (2) That the name of a person participating in the program  
11 will be included on a list of persons excluded from all  
12 interactive gaming platforms under the jurisdiction of the  
13 commission.

14 (3) Except as provided by rule of the commission, a person  
15 who participates in the voluntary exclusion program may not  
16 petition the commission for permission to participate in  
17 interactive gaming on any interactive gaming platform under  
18 the jurisdiction of the commission.

19 (4) That the list of persons entering the voluntary exclusion  
20 program and the personal information of the participants are  
21 confidential and may only be disseminated by the commission  
22 to an interactive gaming operator under the jurisdiction of the  
23 commission for purposes of enforcement and to other entities,  
24 upon request by the participant and agreement by the  
25 commission.

26 (5) That an interactive gaming operator under the jurisdiction  
27 of the commission shall make all reasonable attempts as  
28 determined by the commission to cease all direct marketing  
29 efforts to a person participating in the program.

30 (6) That an interactive gaming operator under the jurisdiction  
31 of the commission may not cash the check of a person  
32 participating in the program, deposit money in an interactive  
33 wagering account belonging to the person, or extend credit to  
34 the person in any manner. However, the voluntary exclusion  
35 program does not preclude an owner from seeking the  
36 payment of a debt accrued by a person before entering the  
37 program.

38 Sec. 3. (a) The commission may authorize the ejection or  
39 exclusion of a person from an interactive gaming platform if:

40 (1) the person's name is on the list of persons voluntarily  
41 excluding themselves from interactive gaming in a program  
42 established under the rules of the commission;



1 (2) the person violates this article; or

2 (3) the commission determines that the person's conduct or  
3 reputation is such that the person's presence on an interactive  
4 gaming platform may:

5 (A) call into question the honesty and integrity of the  
6 gambling operations; or

7 (B) interfere with the orderly conduct of the gambling  
8 operations.

9 (b) A person, other than a person participating in a voluntary  
10 exclusion program, may petition the commission for a hearing on  
11 the person's ejection or exclusion under this section.

12 Sec. 4. Each interactive gaming platform must conspicuously  
13 display the number of the toll free telephone line described in  
14 IC 4-33-12-9 so that it is accessible to any person visiting or  
15 initially logging into the interactive gaming platform and to  
16 account holders who log onto the interactive gaming platform.

17 Sec. 5. (a) Each interactive gaming platform must include  
18 mechanisms for temporary and permanent self-exclusion from  
19 interactive gaming, including the following:

20 (1) Termination of the interactive wagering account of an  
21 interactive gaming patron.

22 (2) A deposit limit offered on a daily, weekly, and monthly  
23 basis that allows an interactive gaming patron to specify the  
24 maximum amount of money the patron can deposit into the  
25 patron's interactive wagering account during the particular  
26 time period.

27 (3) A spend limit offered on a daily, weekly, and monthly basis  
28 that allows an interactive gaming patron to specify the  
29 maximum amount of the deposits that the patron may put at  
30 risk during the particular time period.

31 (b) Self-imposed wagering or deposit limits take effect  
32 immediately. However, if an interactive gaming patron makes an  
33 increase to a previously imposed limit, the increase does not take  
34 effect until the expiration of the previously imposed limit under the  
35 terms of the participant's original election.

36 (c) An interactive gaming licensee may not knowingly mail or  
37 otherwise forward any gaming related promotional materials or  
38 electronic mail to an interactive wagering account holder during  
39 any period in which the account holder has elected to temporarily  
40 or permanently suspend or terminate interactive gaming through  
41 the account.

42 Sec. 6. An individual holding an interactive wagering account





1 must continue to have access to the interactive wagering account  
 2 and the ability to withdraw funds, notwithstanding any temporary  
 3 or permanent suspension or limits placed upon the account under  
 4 this chapter.

5 **Chapter 9. Interactive Gaming Tax**

6 **Sec. 1.** An interactive gaming tax is imposed on the adjusted  
 7 gross receipts received from authorized interactive gaming offered  
 8 by an interactive gaming licensee under this article at a rate of  
 9 twenty percent (20%).

10 **Sec. 2.** An interactive gaming licensee shall do the following:

11 (1) Remit the daily amount of interactive gaming taxes  
 12 imposed under section 1 of this chapter to the department of  
 13 state revenue on the twenty-fourth calendar day of each  
 14 month. Any taxes collected during the month but after the day  
 15 on which the taxes are required to be paid must be paid to the  
 16 department of state revenue at the same time the following  
 17 month's taxes are due.

18 (2) Report gaming activity information to the commission  
 19 daily on forms prescribed by the commission.

20 **Sec. 3. (a)** For each state fiscal year, an interactive gaming  
 21 licensee may deduct not more than ten million dollars  
 22 (\$10,000,000) for the qualified wagering by patrons using  
 23 promotional credits or vouchers conducted with respect to each  
 24 interactive gaming skin operated by the interactive gaming licensee  
 25 under an agreement with an interactive gaming management  
 26 vendor.

27 (b) Deductions under this section also apply to an interactive  
 28 gaming licensee's adjusted gross receipts for purposes of  
 29 IC 4-39-5-8.

30 **Sec. 4. (a)** The department of state revenue shall deposit the tax  
 31 revenue collected under section 2 of this chapter as follows:

32 (1) Five-sixths (5/6) of the amount collected from each  
 33 interactive gaming licensee in the state general fund.

34 (2) One-sixth (1/6) of the amount collected from each  
 35 interactive gaming licensee in the revenue sharing account  
 36 established under section 7 of this chapter.

37 (b) On July 15 of each year, the department shall transfer an  
 38 amount equal to ten percent (10%) of the tax revenue deposited  
 39 into the state general fund under subsection (a)(1) in the previous  
 40 state fiscal year to the addiction services fund established by  
 41 IC 12-23-2-2.

42 (c) The tax revenue transferred under subsection (b) must be



1 allocated to:

- 2 (1) the prevention of;  
 3 (2) education regarding;  
 4 (3) provider credentialing of professionals engaged in the  
 5 treatment and prevention of; and  
 6 (4) the treatment of;  
 7 compulsive gambling.

8 Sec. 5. The commission may suspend or revoke the interactive  
 9 gaming license of an interactive gaming licensee that does not  
 10 submit the payment or the tax return form within the required  
 11 time.

12 Sec. 6. The payment of the tax under this chapter must be on a  
 13 form and in a manner prescribed by the department.

14 Sec. 7. (a) As used in this section, "casino" refers to a riverboat  
 15 operated under IC 4-33 or a gambling game facility operated  
 16 under IC 4-35.

17 (b) The revenue sharing account is established within the state  
 18 general fund. The auditor of state shall administer the account.

19 (c) If an interactive gaming licensee operates more than one (1)  
 20 casino in Indiana, the taxes paid under this chapter by the  
 21 interactive gaming licensee must be attributed in equal amounts to  
 22 each of the casinos operated by the interactive gaming licensee for  
 23 purposes of making revenue sharing distributions under subsection  
 24 (d).

25 (d) On July 15 of each year, the auditor of state shall distribute  
 26 money deposited into the revenue sharing account in the previous  
 27 state fiscal year as follows:

28 (1) For each interactive gaming licensee operating a casino  
 29 located in a city, the auditor of state shall distribute the  
 30 money deposited in the account attributable to taxes paid  
 31 under this chapter by the interactive gaming licensee's casino  
 32 as follows:

33 (A) Fifty percent (50%) to the city in which the interactive  
 34 gaming licensee's casino is located.

35 (B) Fifty percent (50%) to the county in which the  
 36 interactive gaming licensee's casino is located.

37 (2) For each interactive gaming licensee operating a casino  
 38 that is not located in a city, the auditor of state shall distribute  
 39 one hundred percent (100%) of the money deposited in the  
 40 account attributable to taxes paid under this chapter by the  
 41 interactive gaming licensee's casino to the county in which the  
 42 casino is located.



1       **Sec. 8. Money paid to a city or county under section 7 of this**  
 2 **chapter:**

3       (1) must be paid to the fiscal officer of the city or county and  
 4       must be deposited in the city's or county's general fund;

5       (2) may not be used to reduce the city's or county's maximum  
 6       levy under IC 6-1.1 but may be used at the discretion of the  
 7       city or county to reduce the property tax levy of the city or  
 8       county for a particular year;

9       (3) may be used for any purpose specified in this chapter or  
 10       for any other legal or corporate purpose of the city or county,  
 11       including the pledge of money to bonds, leases, or other  
 12       obligations under IC 5-1-14-4; and

13       (4) is considered miscellaneous revenue.

14       **Chapter 10. Acceptance of Out-of-State Wagers**

15       **Sec. 1. Notwithstanding any other provision of law to the**  
 16 **contrary, wagers may be accepted under this article from persons**  
 17 **who are not physically present in Indiana if the commission has**  
 18 **determined that:**

19       (1) accepting the wagers is not inconsistent with federal law or  
 20       the law of the jurisdiction in which the person placing the  
 21       wagers is located; or

22       (2) the wagering is conducted pursuant to a reciprocal  
 23       agreement to which Indiana is a party that is not inconsistent  
 24       with federal law.

25       **Sec. 2. The commission may enter into an interactive gaming**  
 26 **reciprocal agreement with a regulatory agency of one (1) or more**  
 27 **other states or jurisdictions in which interactive gaming is**  
 28 **authorized to allow an interactive gaming operator to accept**  
 29 **wagers from persons not physically present in Indiana, and to**  
 30 **allow persons physically present in Indiana to place wagers with**  
 31 **parties to the interactive gaming reciprocal agreement, if the**  
 32 **reciprocal agreement is not inconsistent with federal law and is**  
 33 **approved by the governor.**

34       **Chapter 11. Child Support**

35       **Sec. 1. Each month, the bureau shall provide information, in an**  
 36 **electronically searchable format, to an interactive gaming licensee**  
 37 **concerning persons who are delinquent in child support.**

38       **Sec. 2. Before disbursing a payout of ten thousand dollars**  
 39 **(\$10,000) or more, in winnings, from interactive gaming to a**  
 40 **person who is delinquent in child support and who is claiming the**  
 41 **winning interactive gaming wager, the interactive gaming licensee:**

42       (1) may deduct and retain an administrative fee in the amount



1 of the lesser of:

2 (A) three percent (3%) of the amount of delinquent child  
3 support withheld under subdivision (2)(A); or

4 (B) one hundred dollars (\$100); and

5 (2) shall:

6 (A) withhold the amount of delinquent child support owed  
7 from winnings;

8 (B) transmit to the bureau:

9 (i) the amount withheld for delinquent child support;  
10 and

11 (ii) identifying information, including the full name,  
12 address, and Social Security number of the obligor and  
13 the child support case identifier, the date and amount of  
14 the payment, and the name of the interactive gaming  
15 licensee; and

16 (C) issue the obligor a receipt in a form prescribed by the  
17 bureau with the total amount withheld for delinquent child  
18 support and the administrative fee.

19 Sec. 3. (a) The bureau shall notify the obligor at the address  
20 provided by the interactive gaming licensee that the bureau intends  
21 to offset the obligor's delinquent child support with the winnings.

22 (b) The bureau shall hold the amount withheld from the  
23 winnings of an obligor for ten (10) business days before applying  
24 the amount as payment to the obligor's delinquent child support.

25 Sec. 4. The delinquent child support required to be withheld  
26 under section 2(2) of this chapter and an administrative fee  
27 described under section 2(1) of this chapter have priority over any  
28 secured or unsecured claim on winnings except claims for federal  
29 or state taxes that are required to be withheld under federal or  
30 state law.

31 Sec. 5. IC 4-31-6-11, IC 4-33-8.5, and IC 4-35-6.7 apply, as  
32 appropriate, to persons licensed under this article for the conduct  
33 of interactive gaming.

34 SECTION 23. IC 31-25-4-32, AS AMENDED BY P.L.141-2022,  
35 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
36 JULY 1, 2023]: Sec. 32. (a) When the Title IV-D agency finds that an  
37 obligor is delinquent, the Title IV-D agency shall send, to a verified  
38 address, a notice to the obligor that does the following:

39 (1) Specifies that the obligor is delinquent.

40 (2) Describes the amount of child support that the obligor is in  
41 arrears.

42 (3) States that unless the obligor:



- 1 (A) pays the obligor's child support arrearage in full;
- 2 (B) establishes a payment plan with the Title IV-D agency to
- 3 pay the arrearage, which includes an income withholding
- 4 order; or
- 5 (C) requests a hearing under section 33 of this chapter;
- 6 within twenty (20) days after the date the notice is mailed, the
- 7 Title IV-D agency shall issue an order to the bureau of motor
- 8 vehicles stating that the obligor is delinquent and that the
- 9 obligor's driving privileges shall be suspended.
- 10 (4) Explains that the obligor has twenty (20) days after the notice
- 11 is mailed to do one (1) of the following:
- 12 (A) Pay the obligor's child support arrearage in full.
- 13 (B) Establish a payment plan with the Title IV-D agency to
- 14 pay the arrearage, which includes an income withholding order
- 15 under IC 31-16-15-2 or IC 31-16-15-2.5.
- 16 (C) Request a hearing under section 33 of this chapter.
- 17 (5) Explains that if the obligor has not satisfied any of the
- 18 requirements of subdivision (4) not later than twenty (20) days
- 19 after the notice is mailed, that the Title IV-D agency shall issue a
- 20 notice to:
- 21 (A) the board or department that regulates the obligor's
- 22 profession or occupation, if any, that the obligor is delinquent
- 23 and that the obligor may be subject to sanctions under
- 24 IC 25-1-1.2, including suspension or revocation of the
- 25 obligor's professional or occupational license;
- 26 (B) the supreme court disciplinary commission if the obligor
- 27 is licensed to practice law;
- 28 (C) the department of education established by IC 20-19-3-1
- 29 if the obligor is a licensed teacher;
- 30 (D) the Indiana horse racing commission if the obligor holds
- 31 or applies for a license issued under IC 4-31-6;
- 32 (E) the Indiana gaming commission if the obligor holds or
- 33 applies for a license issued under IC 4-33, ~~and~~ IC 4-35,
- 34 **IC 4-38, or IC 4-39;**
- 35 (F) the commissioner of the department of insurance if the
- 36 obligor holds or is an applicant for a license issued under
- 37 IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3;
- 38 (G) the director of the department of natural resources if the
- 39 obligor holds or is an applicant for a license issued by the
- 40 department of natural resources under:
- 41 (i) IC 14-22-12 (fishing, hunting, and trapping licenses);
- 42 (ii) IC 14-22-16 (bait dealer's license);



- 1 (iii) IC 14-22-19 (fur buyer's license);
- 2 (iv) IC 14-24-7 (nursery dealer's license); or
- 3 (v) IC 14-31-3 (ginseng dealer's license); or
- 4 (H) the alcohol and tobacco commission if the obligor holds or
- 5 applies for an employee's permit under IC 7.1-3-18-9(a)(3).
- 6 (6) Explains that the only basis for contesting the issuance of an
- 7 order under subdivision (3) or (5) is a mistake of fact.
- 8 (7) Explains that an obligor may contest the Title IV-D agency's
- 9 determination to issue an order under subdivision (3) or (5) by
- 10 making written application to the Title IV-D agency not later than
- 11 twenty (20) days after the date the notice is mailed.
- 12 (8) Explains the procedures to:
- 13 (A) pay the obligor's child support arrearage in full; and
- 14 (B) establish a payment plan with the Title IV-D agency to pay
- 15 the arrearage, which must include an income withholding
- 16 order under IC 31-16-15-2 or IC 31-16-15-2.5.
- 17 (b) Whenever the Title IV-D agency finds that an obligor is
- 18 delinquent and has failed to:
- 19 (1) pay the obligor's child support arrearage in full;
- 20 (2) establish a payment plan with the Title IV-D agency to pay the
- 21 arrearage, which includes an income withholding order under
- 22 IC 31-16-15-2 or IC 31-16-15-2.5; or
- 23 (3) request a hearing under section 33 of this chapter not later
- 24 than twenty (20) days after the date the notice described in
- 25 subsection (a) is mailed;
- 26 the Title IV-D agency shall issue an order to the bureau of motor
- 27 vehicles stating that the obligor is delinquent.
- 28 (c) An order issued under subsection (b) must require the following:
- 29 (1) If the obligor who is the subject of the order holds a driving
- 30 license or permit on the date the order is issued, that the driving
- 31 privileges of the obligor be suspended until further order of the
- 32 Title IV-D agency.
- 33 (2) If the obligor who is the subject of the order does not hold a
- 34 driving license or permit on the date the order is issued, that the
- 35 bureau of motor vehicles may not issue a driving license or permit
- 36 to the obligor until the bureau of motor vehicles receives a further
- 37 order from the Title IV-D agency.
- 38 (d) The Title IV-D agency shall provide the:
- 39 (1) full name;
- 40 (2) date of birth;
- 41 (3) verified address; and
- 42 (4) Social Security number or driving license number;



1 of the obligor to the bureau of motor vehicles.

2 (e) Whenever the Title IV-D agency finds that an obligor who is an  
3 applicant (as defined in IC 25-1-1.2-1) or a practitioner (as defined in  
4 IC 25-1-1.2-6) is delinquent and the applicant or practitioner has failed  
5 to:

- 6 (1) pay the obligor's child support arrearage in full;
- 7 (2) establish a payment plan with the Title IV-D agency to pay the  
8 arrearage, which includes an income withholding order under  
9 IC 31-16-15-2 or IC 31-16-15-2.5; or
- 10 (3) request a hearing under section 33 of this chapter;

11 the Title IV-D agency shall issue an order to the board regulating the  
12 practice of the obligor's profession or occupation stating that the  
13 obligor is delinquent.

14 (f) An order issued under subsection (e) must direct the board or  
15 department regulating the obligor's profession or occupation to impose  
16 the appropriate sanctions described under IC 25-1-1.2.

17 (g) Whenever the Title IV-D agency finds that an obligor who is an  
18 attorney or a licensed teacher is delinquent and the attorney or licensed  
19 teacher has failed to:

- 20 (1) pay the obligor's child support arrearage in full;
- 21 (2) establish a payment plan with the Title IV-D agency to pay the  
22 arrearage, which includes an income withholding order under  
23 IC 31-16-15-2 or IC 31-16-15-2.5; or
- 24 (3) request a hearing under section 33 of this chapter;

25 the Title IV-D agency shall notify the supreme court disciplinary  
26 commission if the obligor is an attorney, or the department of education  
27 if the obligor is a licensed teacher, that the obligor is delinquent.

28 (h) Whenever the Title IV-D agency finds that an obligor who holds  
29 a license issued under IC 4-31-6, IC 4-33, ~~or~~ IC 4-35, **IC 4-38, or**  
30 **IC 4-39** has failed to:

- 31 (1) pay the obligor's child support arrearage in full;
- 32 (2) establish a payment plan with the Title IV-D agency to pay the  
33 arrearage, which includes an income withholding order under  
34 IC 31-16-15-2 or IC 31-16-15-2.5; or
- 35 (3) request a hearing under section 33 of this chapter;

36 the Title IV-D agency shall issue an order to the Indiana horse racing  
37 commission if the obligor holds a license issued under IC 4-31-6, or to  
38 the Indiana gaming commission if the obligor holds a license issued  
39 under IC 4-33, ~~or~~ IC 4-35, **IC 4-38, or IC 4-39** stating that the obligor  
40 is delinquent and directing the commission to impose the appropriate  
41 sanctions described in IC 4-31-6-11, IC 4-33-8.5-3, or IC 4-35-6.7-2.

42 (i) Whenever the Title IV-D agency finds that an obligor who holds



a license issued under IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3 has failed to:

- (1) pay the obligor's child support arrearage in full;
- (2) establish a payment plan with the Title IV-D agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; or
- (3) request a hearing under section 33 of this chapter;

the Title IV-D agency shall issue an order to the commissioner of the department of insurance stating that the obligor is delinquent and directing the commissioner to impose the appropriate sanctions described in IC 27-1-15.6-29 or IC 27-10-3-20.

(j) Whenever the Title IV-D agency finds that an obligor who holds a license issued by the department of natural resources under IC 14-22-12, IC 14-22-16, IC 14-22-19, IC 14-24-7, or IC 14-31-3 has failed to:

- (1) pay the obligor's child support arrearage in full;
- (2) establish a payment plan with the Title IV-D agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; or
- (3) request a hearing under section 33 of this chapter;

the Title IV-D agency shall issue an order to the director of the department of natural resources stating that the obligor is delinquent and directing the director to suspend or revoke a license issued to the obligor by the department of natural resources as provided in IC 14-11-3.

(k) If the Title IV-D agency finds that an obligor who holds an employee's permit issued under IC 7.1-3-18-9(a)(3) has failed to:

- (1) pay the obligor's child support arrearage in full;
- (2) establish a payment plan with the Title IV-D agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; or
- (3) request a hearing under section 33 of this chapter;

the Title IV-D agency shall issue an order to the alcohol and tobacco commission stating that the obligor is delinquent and directing the alcohol and tobacco commission to impose the appropriate sanctions under IC 7.1-3-23-44.

(l) A person's most recent address on file with the bureau constitutes a verified address for purposes of this section.

(m) When an obligor who was the subject of an order issued by the Title IV-D agency under subsection (b), (e), (g), (h), (i), (j), or (k) has:

- (1) paid the obligor's child support arrearage in full; or
- (2) established a payment plan with the Title IV-D agency to pay





the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; the Title IV-D agency shall provide notice to the appropriate entity under subsection (b), (e), (g), (h), (i), (j), or (k) that the obligor has addressed the delinquency.

SECTION 24. IC 31-25-4-34, AS AMENDED BY P.L.141-2022, SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 34. (a) As used in this section, "board" has the meaning set forth in IC 25-1-1.2-2.

(b) If an obligor holds a license issued by a board and requests a hearing under section 33 of this chapter but fails to appear or appears and is found to be delinquent, the Title IV-D agency shall issue an order to the board that issued the obligor's license:

- (1) stating that the obligor is delinquent; and
- (2) requiring the board to comply with the actions required under IC 25-1-1.2-8.

(c) If an obligor holds a license issued under IC 4-31-6, IC 4-33, ~~or IC 4-35, IC 4-38, or IC 4-39~~ and requests a hearing under section 33 of this chapter but fails to appear or appears and is found to be delinquent, the Title IV-D agency shall issue an order to the:

- (1) Indiana horse racing commission, if the obligor holds a license issued under IC 4-31-6; or
- (2) Indiana gaming commission, if the obligor holds a license issued under IC 4-33, ~~or IC 4-35, IC 4-38, or IC 4-39;~~

stating that the obligor is delinquent and requiring the commission to comply with the actions required under IC 4-31-6-11, IC 4-33-8.5-3, or IC 4-35-6.7-2.

(d) If an obligor holds a license issued under IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3 and requests a hearing under section 33 of this chapter but fails to appear or appears and is found to be delinquent, the Title IV-D agency shall issue an order to the commissioner of the department of insurance:

- (1) stating that the obligor is delinquent; and
- (2) requiring the commissioner to comply with the actions required under IC 27-1-15.6-29 or IC 27-10-3-20.

(e) If an obligor holds a license issued by the department of natural resources under IC 14-22-12, IC 14-22-16, IC 14-22-19, IC 14-24-7, or IC 14-31-3 and requests a hearing under section 33 of this chapter but fails to appear, or appears and is found to be delinquent, the Title IV-D agency shall issue an order to the director of the department of natural resources:

- (1) stating that the obligor is delinquent; and



(2) requiring the director to suspend or revoke a license issued by the department as provided in IC 14-11-3.

(f) If an obligor:

(1) holds an employee's permit issued under IC 7.1-3-18-9(a)(3); and

(2) requests a hearing under section 33 of this chapter but fails to appear or appears and is found to be delinquent;

the Title IV-D agency shall issue an order to the alcohol and tobacco commission stating that the obligor is delinquent and requiring the commission to impose the appropriate sanctions under IC 7.1-3-23-44.

(g) When an obligor who was the subject of an order issued by the Title IV-D agency under subsection (b), (c), (d), (e), or (f) has:

(1) paid the obligor's child support arrearage in full; or

(2) established a payment plan with the Title IV-D agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

the Title IV-D agency shall provide notice to the appropriate entity under subsection (b), (c), (d), (e), or (f) that the obligor has addressed the delinquency.

SECTION 25. IC 35-45-5-15 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 15. This chapter does not apply to interactive gaming conducted under IC 4-39.**

SECTION 26. **An emergency is declared for this act.**

