PRELIMINARY DRAFT
No. 4054

PREPARED BY
LEGISLATIVE SERVICES AGENCY
2023 GENERAL ASSEMBLY

DIGEST

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 18% 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.

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:

SECTION 1. IC 4-1-8-1, AS AMENDED BY P.L.58-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. (a) No individual may be compelled by any state agency, board, commission, department, bureau, or other entity of state government (referred to as "state agency" in this chapter) to provide the individual's Social Security number to the state agency against the individual's will, absent federal requirements to the contrary. However, the provisions of this chapter do not apply to the following:

(1) Department of state revenue.

(2) Department of workforce development.

(3) The programs administered by:

(A) the division of family resources;

(B) the division of mental health and addiction;

(C) the division of disability and rehabilitative services;

(D) the division of aging; and

(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 4-30-2-3.5 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 4. 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 5. 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 6. 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);

(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 video gaming terminal.
(3) 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 games over the Internet:
(1) Draw games.
(2) Digital representations of scratch-off games.

SECTION 7. 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 8. 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 9. 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 10. 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 service provider contracted with a licensed owner, an operating agent, or a trustee for the conduct of interactive gaming under IC 4-39.

SECTION 11. 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 12. 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 13. 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 14. 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:

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

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

(i) a reasonable provision for uncollectible patron checks received from gambling games; or

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

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 from gambling games.

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

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

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

SECTION 15. IC 4-35-2-5, AS AMENDED BY P.L.293-2019, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. (a) "Gambling game" means any of the following:

(1) A game played on a slot machine approved for wagering under this article by the commission.

(2) A game played on a slot machine through the use of a mobile gaming device approved under this article.

(3) A table game approved by the commission under IC 4-35-7-19.

(b) The term does not include:

(1) sports wagering conducted under IC 4-38; **or**

(2) interactive gaming conducted under IC 4-39.

SECTION 16. IC 4-35-8-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 0.5. This chapter does not apply to the following:**

(1) Sports wagering conducted under IC 4-38.

(2) Interactive gaming conducted under IC 4-39.

SECTION 17. IC 4-35-8.5-0.5, AS ADDED BY P.L.293-2019, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 0.5. This chapter does not apply to sports wagering conducted under IC 4-38 **or interactive gaming conducted under IC 4-39.**

SECTION 18. IC 4-35-11-11, AS ADDED BY P.L.293-2019, SECTION 42, 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 licensee.

SECTION 19. IC 4-39 IS ADDED TO THE INDIANA CODE AS A **NEW** ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:

ARTICLE 39. INTERACTIVE GAMING

Chapter 1. General Provisions

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

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

Sec. 3. The commission shall regulate and administer interactive gaming conducted by an interactive gaming licensee or an interactive gaming management service provider under this article.

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

(1) All powers and duties specified in this article.

(2) All powers necessary and proper to fully and effectively execute this article.

(3) Jurisdiction and supervision over the following:

(A) All interactive gaming operations in Indiana.

(B) All persons engaged in offering, conducting, or participating in interactive gaming under this article.

(4) Any power specified in IC 4-33 or IC 4-35 concerning the supervision of persons conducting gambling games, patrons wagering on gambling games, and the facilities in which gambling games are conducted.

(5) To investigate and reinvestigate applicants, interactive gaming licensees, interactive gaming management service providers, and other licensees involved with interactive gaming conducted under this article.

(5) To approve premises for use as a live interactive game studio.

(6) To investigate alleged violations of this article.

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

(8) 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 promotional credits 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 something of monetary value;

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

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

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

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

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

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

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

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

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

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

Sec. 6. "Interactive gaming management service provider" means a licensed business entity that operates an interactive gaming platform pursuant to an agreement with an interactive gaming licensee.

Sec. 7. "Interactive gaming operator" means an interactive gaming licensee that operates an interactive gaming platform or, if an interactive management services provider operates the interactive gaming platform, the interactive management services provider.

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

Sec. 9. "Interactive gaming skin" means a distinctly branded interactive gaming platform operated by an interactive gaming operator, which may encompass a website, mobile application, or other portal to the interactive gaming platform. The brand may be that of the interactive gaming licensee or its affiliate, the interactive management service provider, or another brand as agreed upon by the interactive gaming licensee and its interactive management service provider.

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

Sec. 11. "Interactive wagering account" means a financial record established and accessible through an interactive gaming platform for an individual participant in which the participant

may deposit and withdraw funds for interactive gaming and other authorized purchases and to which the interactive gaming operator may credit winnings or other amounts due to that participant or authorized by that participant.

Sec. 12. "Live game simulcast" means an interactive gaming operator's authorized simulcast of poker, blackjack, or other card, slot, and gambling games typically offered in a casino, and any other game approved by the commission, that is conducted by an occupational licensee who is physically located in an approved live interactive game studio and in which participants have the ability to participate in real-time in interactive wagering on the game and interact with the occupational licensee through an Internet connected computer or mobile device.

Sec. 13. "Live interactive game studio" means a physical location in Indiana from which an interactive gaming operator is authorized by the commission to use live video streaming technology to offer a live game simulcast.

Sec. 14. "Permissible jurisdiction" means another jurisdiction from which wagers may be accepted according to an interactive gaming reciprocal agreement entered into under IC 4-39-10.

Sec. 15. "Person" means an individual, a sole proprietorship, a partnership, an association, a fiduciary, a corporation, a limited liability company, or any other business entity.

Chapter 3. Powers and Duties of the Commission

Sec. 1. The commission has the same powers and duties with respect to the offering of interactive gaming as it has with respect to noninteractive gaming conducted under IC 4-33 and IC 4-35. If the exercise of a power or duty described in IC 4-33 or IC 4-35 is incompatible with the offering of gambling games over the Internet or the provisions of this article, this article prevails.

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

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

Chapter 4. Authority to Conduct Interactive Gaming

Sec. 1. A person holding an interactive gaming license issued under this chapter is authorized to conduct interactive gaming,

including live game simulcasts, under this article beginning September 1, 2023.

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

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

(1) submit an application to the commission in the manner prescribed by the commission; and

(2) pay an initial fee of five hundred thousand dollars ($500,000).

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

Sec. 4. (a) Upon:

(1) receipt of the application and fee required by section 3 of this chapter; and

(2) approving the submitted application;

the commission shall issue an interactive gaming license to a licensed owner, an operating agent, or a permit holder authorizing the licensed owner, operating agent, or permit holder to conduct 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) 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 expenses of administering the fund shall be paid from the fund.

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

(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(g) Money in the fund is continuously appropriated to the commission for the purpose of administering this article.

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

Sec. 8. The primary server or servers for an interactive gaming platform or live interactive game studio must be located within a facility that is secure and inaccessible to the public. 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 management service providers conducting interactive gaming under an agreement with the interactive gaming licensee, may only offer an interactive game that is approved by the commission.

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.

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

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

Sec. 4. An interactive gaming operator shall implement appropriate standards to protect the privacy and security of participants to a reasonable degree of certainty. Interactive gaming

operators shall establish and offer participants the option to protect their accounts with multi-factor authentication or authentication features such as personal identification numbers or biometric data.

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

Sec. 6. An interactive gaming licensee shall:

(1) collect, report, and pay all applicable taxes and fees; and

(2) maintain all books, records, and documents pertaining to the licensee's interactive gaming operations in a manner and at a location within Indiana approved by the commission.

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

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

(b) An interactive gaming licensee shall, before the fifteenth day of each month, distribute for the support of the Indiana horse racing industry an amount equal to twelve percent (12%) of the total adjusted gross receipts received from all authorized interactive gaming offered by the interactive gaming licensee.

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

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

Chapter 6. Interactive Wagering Account Requirements

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

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

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

(2) over the Internet without appearing in person.

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

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

(1) in person at a riverboat or racetrack;

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

(A) debit and credit cards;

(B) automated clearing house transfers; or

(C) wire transfers;

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

(4) through the use of reliable prepaid cards, cash complimentary, promotional credits, or bonus credits; or

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

Sec. 4. An interactive gaming operator shall maintain within its internal controls mechanisms and procedures for detecting unauthorized access to interactive wagering accounts, unauthorized attempts to access interactive wagering accounts, and suspicious interactive wagering activity constituting cheating, theft, embezzlement, collusion, money laundering, and other illegal 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 management service provider license.

(3) A supplier's license.

(4) An occupational license.

Sec. 2. (a) A person must hold an interactive management service provider license before operating as an interactive management service provider. A person may apply for an interactive gaming management service provider 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 management service provider license for sports wagering or other types of gaming under Indiana law. To obtain an interactive gaming management service provider license under this article, an applicant must pay to the commission a license fee of one hundred thousand dollars ($100,000).

(b) An interactive management service provider 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 service provider 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 service provider 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.

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

Sec. 5. An interactive gaming operator shall conduct:

(1) background checks on newly hired employees engaged in activities related to the conducting of interactive gaming; and

(2) annual background checks on all existing employees engaged in activities related to the conducting of interactive gaming.

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

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

Chapter 8. Responsible Interactive Gaming

Sec. 1. (a) The commission shall develop responsible interactive gaming measures, including a statewide responsible gaming data base identifying individuals who are prohibited from establishing an interactive wagering account or participating in interactive

gaming offered by an interactive gaming operator. The commission shall adopt rules under IC 4-22-2 for the establishment and maintenance of the responsible gaming data base.

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

Sec. 2. (a) The commission shall adopt rules under IC 4-22-2 to establish and implement a voluntary exclusion program for interactive gaming under this article that meets the requirements of subsection (b).

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

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

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

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

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

(5) That an interactive gaming operator 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.

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

program.

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

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

(2) the person violates this article; or

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

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

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

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

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

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

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

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

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

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

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

the account.

Sec. 6. An individual holding an interactive wagering account must continue to have access to the interactive wagering account and the ability to withdraw funds, notwithstanding any temporary or permanent suspension or limits placed upon the account under this chapter.

Chapter 9. Interactive Gaming Tax

Sec. 1. An interactive gaming tax is imposed on the adjusted gross receipts received from authorized interactive gaming offered by an interactive gaming licensee under this article at a rate of eighteen percent (18%).

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

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

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

Sec. 3. (a) For each state fiscal year, an interactive gaming licensee may deduct not more than ten million dollars ($10,000,000) for the qualified wagering conducted with respect to each interactive gaming skin operated by the interactive gaming licensee under an agreement with an interactive gaming management service provider.

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

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

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

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

(b) On July 15 of each year, the department shall transfer an amount equal to three and thirty-three hundredths percent (3.33%) of the tax revenue deposited into the state general fund under subsection (a)(1) in the previous state fiscal year to the addiction services fund established by IC 12-23-2-2.

(c) Twenty-five percent (25%) of the tax revenue transferred under subsection (b) must be allocated to:

(1) the prevention of;

(2) education regarding;

(3) provider credentialing of professionals engaged in the

treatment and prevention of; and

(4) the treatment of;

compulsive gambling.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(4) is considered miscellaneous revenue.

Chapter 10. Acceptance of Out-of-State Wagers

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

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

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

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

Chapter 11. Child Support

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

Sec. 2. Before disbursing a payout of fifty thousand dollars ($50,000) or more, in winnings, from interactive gaming to a person who is delinquent in child support and who is claiming the winning interactive gaming wager, the interactive gaming licensee:

(1) may deduct and retain an administrative fee in the amount of the lesser of:

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

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

(2) shall:

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

(B) transmit to the bureau:

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

(ii) identifying information, including the full name, address, and Social Security number of the obligor and

the child support case identifier, the date and amount of the payment, and the name of the interactive gaming licensee; and

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

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

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

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

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

SECTION 20. IC 31-25-4-32, AS AMENDED BY P.L.141-2022, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 32. (a) When the Title IV-D agency finds that an obligor is delinquent, the Title IV-D agency shall send, to a verified address, a notice to the obligor that does the following:

(1) Specifies that the obligor is delinquent.

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

(3) States that unless the obligor:

(A) pays the obligor's child support arrearage in full;

(B) establishes a payment plan with the Title IV-D agency to pay the arrearage, which includes an income withholding order; or

(C) requests a hearing under section 33 of this chapter;

within twenty (20) days after the date the notice is mailed, the Title IV-D agency shall issue an order to the bureau of motor vehicles stating that the obligor is delinquent and that the obligor's driving privileges shall be suspended.

(4) Explains that the obligor has twenty (20) days after the notice is mailed to do one (1) of the following:

(A) Pay the obligor's child support arrearage in full.

(B) 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.

(C) Request a hearing under section 33 of this chapter.

(5) Explains that if the obligor has not satisfied any of the

requirements of subdivision (4) not later than twenty (20) days after the notice is mailed, that the Title IV-D agency shall issue a notice to:

(A) the board or department that regulates the obligor's profession or occupation, if any, that the obligor is delinquent and that the obligor may be subject to sanctions under IC 25-1-1.2, including suspension or revocation of the obligor's professional or occupational license;

(B) the supreme court disciplinary commission if the obligor is licensed to practice law;

(C) the department of education established by IC 20-19-3-1 if the obligor is a licensed teacher;

(D) the Indiana horse racing commission if the obligor holds or applies for a license issued under IC 4-31-6;

(E) the Indiana gaming commission if the obligor holds or applies for a license issued under IC 4-33, ~~and~~ IC 4-35, **IC 4-38, or IC 4-39;**

(F) the commissioner of the department of insurance if the obligor holds or is an applicant for a license issued under IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3;

(G) the director of the department of natural resources if the obligor holds or is an applicant for a license issued by the department of natural resources under:

(i) IC 14-22-12 (fishing, hunting, and trapping licenses);

(ii) IC 14-22-16 (bait dealer's license);

(iii) IC 14-22-19 (fur buyer's license);

(iv) IC 14-24-7 (nursery dealer's license); or

(v) IC 14-31-3 (ginseng dealer's license); or

(H) the alcohol and tobacco commission if the obligor holds or applies for an employee's permit under IC 7.1-3-18-9(a)(3).

(6) Explains that the only basis for contesting the issuance of an order under subdivision (3) or (5) is a mistake of fact.

(7) Explains that an obligor may contest the Title IV-D agency's determination to issue an order under subdivision (3) or (5) by making written application to the Title IV-D agency not later than twenty (20) days after the date the notice is mailed.

(8) Explains the procedures to:

(A) pay the obligor's child support arrearage in full; and

(B) establish a payment plan with the Title IV-D agency to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(b) Whenever the Title IV-D agency finds that an obligor is delinquent and 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 not later than twenty (20) days after the date the notice described in subsection (a) is mailed;

the Title IV-D agency shall issue an order to the bureau of motor vehicles stating that the obligor is delinquent.

(c) An order issued under subsection (b) must require the following:

(1) If the obligor who is the subject of the order holds a driving license or permit on the date the order is issued, that the driving privileges of the obligor be suspended until further order of the Title IV-D agency.

(2) If the obligor who is the subject of the order does not hold a driving license or permit on the date the order is issued, that the bureau of motor vehicles may not issue a driving license or permit to the obligor until the bureau of motor vehicles receives a further order from the Title IV-D agency.

(d) The Title IV-D agency shall provide the:

(1) full name;

(2) date of birth;

(3) verified address; and

(4) Social Security number or driving license number;

of the obligor to the bureau of motor vehicles.

(e) Whenever the Title IV-D agency finds that an obligor who is an applicant (as defined in IC 25-1-1.2-1) or a practitioner (as defined in IC 25-1-1.2-6) is delinquent and the applicant or practitioner 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 board regulating the practice of the obligor's profession or occupation stating that the obligor is delinquent.

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

(g) Whenever the Title IV-D agency finds that an obligor who is an attorney or a licensed teacher is delinquent and the attorney or licensed teacher 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 notify the supreme court disciplinary

commission if the obligor is an attorney, or the department of education if the obligor is a licensed teacher, that the obligor is delinquent.

(h) Whenever the Title IV-D agency finds that an obligor who holds a license issued under IC 4-31-6, IC 4-33, ~~or~~ IC 4-35, **IC 4-38, or IC 4-39** 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 Indiana horse racing commission if the obligor holds a license issued under IC 4-31-6, or to the 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 directing the commission to impose the appropriate sanctions described in IC 4-31-6-11, IC 4-33-8.5-3, or IC 4-35-6.7-2.

(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 21. 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 22. 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 23. **An emergency is declared for this act.**