



January 21, 2025

HOUSE BILL No. 1053

DIGEST OF HB 1053 (Updated January 14, 2025 11:27 am - DI 144)

Citations Affected: IC 4-31; IC 4-33; IC 25-38.1.

Synopsis: Gaming matters. Specifies that the horse racing commission (IHRC) may adopt rules that incorporate by reference the most current version of the: (1) model rules; and (2) model rules concerning foreign substances; adopted by the Association of Racing Commissioners International. Removes the requirement that the IHRC appoint an assistant director and provides that the director shall hire an assistant director. Changes references to the horse racing tracks. Provides that judges and stewards may suspend a license for not more than three years on behalf of the IHRC. (Current law allows judges and stewards to suspend a license for not more than one year on behalf of the IHRC.) Provides that the suspension of a license or the imposition of certain civil penalties must occur within 365 days (instead of 180 days) after the date of the violation. Provides that the Indiana gaming commission (commission) shall require an occupational license applicant and occupational licensee to submit fingerprints for review by the state police department (department) and the Federal Bureau of Investigation (FBI): (1) for a criminal history record check; and (2) in the form and manner required by the department and the FBI. Requires
(Continued next page)

Effective: July 1, 2025.

Manning

January 8, 2025, read first time and referred to Committee on Public Policy.
January 21, 2025, amended, reported — Do Pass.

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Digest Continued

the department to provide the results of each requested criminal history record check to the commission. Allows the department to charge a fee for a criminal history record check and requires the commission to pay the fee from money received from fees collected from occupational license applicants or licensees. Provides a list of the individuals required to hold an occupational license. Provides that a horse's veterinary medical records and medical condition must be furnished within five business days without written client authorization to the IHRC as part of an investigation in which a horse under the care, control, or ownership of a licensee has been treated by a veterinarian.

HB 1053—LS 6212/DI 107



January 21, 2025

First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

HOUSE BILL No. 1053

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

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

1 SECTION 1. IC 4-31-2.1-2.3 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2025]: **Sec. 2.3. "ARCI model rules" means**
4 **the most current version of model rules and standards, except as**
5 **provided in section 2.6 of this chapter, including penalties and**
6 **penalty classifications, that have been adopted by the Association**
7 **of Racing Commissioners International.**

8 SECTION 2. IC 4-31-2.1-2.6 IS ADDED TO THE INDIANA
9 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2025]: **Sec. 2.6. "ARCI uniform classification**
11 **guidelines for foreign substances and recommended penalties**
12 **model rules" means the most current version of model rules and**
13 **standards concerning foreign substances, including penalties and**
14 **penalty classifications, that have been adopted by the Association**
15 **of Racing Commissioners International.**

16 SECTION 3. IC 4-31-3-9, AS AMENDED BY P.L.93-2024,
17 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 2025]: Sec. 9. Subject to section 14 of this chapter, the
 2 commission may:

3 (1) adopt rules under IC 4-22-2 to implement this article,
 4 including **rules that incorporate by reference the ARCI model**
 5 **rules and the ARCI uniform classification guidelines for**
 6 **foreign substances and recommended penalties model rules**
 7 **and** rules that prescribe:

8 (A) the forms of wagering that are permitted;

9 (B) the number of races;

10 (C) the procedures for wagering;

11 (D) the wagering information to be provided to the public;

12 (E) fees for the issuance and renewal of:

13 (i) permits under IC 4-31-5;

14 (ii) satellite facility licenses under IC 4-31-5.5; and

15 (iii) licenses for racetrack personnel and racing participants
 16 under IC 4-31-6;

17 (F) investigative fees;

18 (G) fines and penalties; and

19 (H) any other regulation that the commission determines is in
 20 the public interest in the conduct of recognized meetings and
 21 wagering on horse racing in Indiana;

22 (2) appoint employees and fix their compensation, subject to the
 23 approval of the budget agency under IC 4-12-1-13;

24 (3) enter into contracts necessary to implement this article; and

25 (4) receive and consider recommendations from a development
 26 advisory committee established under IC 4-31-11.

27 SECTION 4. IC 4-31-3-10, AS AMENDED BY P.L.217-2017,
 28 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2025]: Sec. 10. (a) The commission shall appoint a director

30 **and an assistant director** who ~~serve~~ **serves** at the pleasure of the
 31 commission. The director ~~and the assistant director~~ must have a
 32 background in the horse industry, a high level of management skills,
 33 and previous experience with pari-mutuel horse betting administration.

34 (b) The director ~~and the assistant director~~ shall:

35 (1) attend all meetings of the commission;

36 (2) keep a complete record of the commission's proceedings;

37 (3) preserve at the commission's office all documents entrusted to
 38 the commission's care; ~~and~~

39 (4) perform other duties the commission prescribes; **and**

40 **(5) hire an assistant director.**

41 (c) The director may do the following:

42 (1) Negotiate an interstate compact that enables party states to act



1 jointly and cooperatively to create more uniform, effective, and
 2 efficient practices, programs, and rules concerning horse racing
 3 and pari-mutuel wagering on horse racing in the party states.

4 (2) Represent Indiana on a commission to negotiate an interstate
 5 compact described in subdivision (1).

6 SECTION 5. IC 4-31-5-9, AS AMENDED BY P.L.165-2021,
 7 SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2025]: Sec. 9. (a) The commission shall determine the dates
 9 and (if the commission adopts a rule under subsection (c)) the number
 10 of racing days authorized under each recognized meeting permit.
 11 Except for racing at winterized tracks, a recognized meeting may not
 12 be conducted after December 10 of a calendar year.

13 (b) Except as provided in subsection (c), the commission shall
 14 require at least two hundred eighty (280) but not more than three
 15 hundred thirty (330) total live racing days each calendar year combined
 16 at both racetracks, as follows:

17 (1) At least one hundred sixty (160) but not more than one
 18 hundred eighty (180) live racing days must be for standardbreds
 19 to race at ~~Hoosier Park~~: **a licensed parimutuel horse racing**
 20 **track located in Madison County.**

21 (2) At least one hundred twenty (120) but not more than one
 22 hundred fifty (150) live racing days must be for horses that are:

23 (A) mounted by jockeys; and

24 (B) run on a course without jumps or obstacles;

25 to race at ~~Indiana Grand~~: **a licensed parimutuel horse racing**
 26 **track located in Shelby County.**

27 The requirements of this subsection are a continuing condition for
 28 maintaining the permit holder's permit. However, the requirements do
 29 not apply if the commission determines that the permit holder is
 30 prevented from conducting live horse racing as a result of a natural
 31 disaster or another event over which the permit holder has no control.

32 (c) The commission may by rule adjust any of the following:

33 (1) The total required number of live racing days under subsection
 34 (b).

35 (2) The number of live racing days required under subsection
 36 (b)(1).

37 (3) The number of live racing days required under subsection
 38 (b)(2).

39 (d) A permit holder may not conduct more than fourteen (14) races
 40 on a particular racing day, unless authorized by the commission to
 41 conduct additional races.

42 SECTION 6. IC 4-31-12-2, AS AMENDED BY P.L.34-2006,



1 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2025]: Sec. 2. (a) Except as permitted by the rules of the
3 commission, a horse participating in a race may not carry in its body
4 any foreign substance.

5 (b) The commission shall adopt the rules the commission considers
6 necessary to implement this section. Before adopting a rule with regard
7 to permitting the use of any medication, the commission shall consider
8 the **ARCI** model rules. ~~approved by the Association of Racing~~
9 ~~Commissioners International.~~

10 (c) In order to inform the racetrack patrons of those horses running
11 with medication, the permit holder shall indicate in the racing program
12 a horse that is racing with a medication permitted by the rules of the
13 commission.

14 SECTION 7. IC 4-31-13-2, AS AMENDED BY P.L.210-2013,
15 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2025]: Sec. 2. (a) The commission may adopt rules under
17 IC 4-22-2 to delegate to the stewards and judges of racing meetings
18 under the jurisdiction of the commission the power to conduct
19 disciplinary hearings on behalf of the commission. The stewards and
20 judges shall give at least twelve (12) hours notice of any such hearing.
21 The stewards and judges, on behalf of the commission, may impose one
22 (1) or more of the following sanctions against a licensee who violates
23 this article or the rules or orders of the commission:

- 24 (1) A civil penalty not to exceed five thousand dollars (\$5,000).
25 (2) A temporary order or other immediate action in the nature of
26 a summary suspension if a licensee's actions constitute an
27 immediate danger to the public health, safety, or welfare.
28 (3) Suspension of a license held by the licensee for not more than
29 ~~one (1) year.~~ **three (3) years.** The suspension of a license under
30 this subdivision is:
- 31 (A) valid even though the suspension extends beyond the
 - 32 period of the racing meeting for which the stewards and judges
 - 33 have been appointed; and
 - 34 (B) effective at all other racing meetings under the jurisdiction
 - 35 of the commission.

36 (4) A rule that a person must stay off the premises of one (1) or
37 more permit holders if necessary in the public interest to maintain
38 proper control over recognized meetings.

39 (5) Referral of the matter to the commission for its consideration.

40 However, at least two (2) of the stewards or judges at a racing meeting
41 must concur in a suspension or civil penalty.

42 (b) Unless a suspension of a license or the imposition of a civil



1 penalty under this section is appealed by the person sanctioned not
 2 more than fifteen (15) days after being sanctioned, the suspension of a
 3 license or the imposition of a civil penalty under this section must
 4 occur within ~~one hundred eighty (180)~~ **three hundred sixty-five (365)**
 5 days after the date of the violation.

6 (c) A suspension or civil penalty under this section may be appealed
 7 to the commission. Judges and stewards imposing sanctions under this
 8 section must prove the person's violation by a preponderance of the
 9 evidence. The commission shall adopt rules establishing procedures for
 10 appeals and stays of appeals. The commission shall conduct a hearing
 11 on an appeal filed under this section as provided in IC 4-21.5.

12 SECTION 8. IC 4-33-2-14 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 14. "Occupational
 14 license" means a license:

15 (1) issued by the commission under IC 4-33-8; **and**

16 (2) **that must be held by an individual described in**
 17 **IC 4-33-8-1.5.**

18 SECTION 9. IC 4-33-4-18, AS AMENDED BY P.L.170-2005,
 19 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2025]: Sec. 18. (a) ~~The state police department may assist the~~
 21 ~~commission in conducting background investigations of applicants.~~
 22 ~~The commission may forward all fingerprints required to be submitted~~
 23 ~~by license applicants under IC 4-33 to the Federal Bureau of~~
 24 ~~Investigation or any other agency for the purpose of screening~~
 25 ~~applicants. The commission shall reimburse the state police department~~
 26 ~~for the costs incurred by the state police department as a result of the~~
 27 ~~assistance. The commission shall make the payment from fees~~
 28 ~~collected from applicants.~~

29 (b) ~~(a)~~ The commission, through its gaming agents, shall conduct
 30 ~~background~~ **criminal history** investigations of **occupational license**
 31 ~~applicants. Costs incurred conducting the investigations must be paid~~
 32 ~~from fees collected from applicants.~~ **and occupational licensees under**
 33 **IC 4-33-8-1.5 for purposes of carrying out:**

34 (1) **the commission's statutory powers and responsibilities;**
 35 **and**

36 (2) **rules adopted;**

37 **under this article.**

38 (b) **For purposes of carrying out the commission's statutory**
 39 **powers and responsibilities, the commission shall require an**
 40 **applicant or licensee described in subsection (a) to submit the**
 41 **fingerprints of the applicant or licensee for review by the state**
 42 **police department and the Federal Bureau of Investigation:**



- 1 (1) for a criminal history record check; and
 2 (2) in the form and manner required by the state police
 3 department and the Federal Bureau of Investigation.

4 (c) The state police department shall provide to the commission
 5 the results of each criminal history record check requested by the
 6 commission under:

- 7 (1) this section; and
 8 (2) rules adopted under this article.

9 (d) The state police department may charge the commission a
 10 fee for a criminal history record check required under this section.
 11 The commission shall pay a fee charged under this subsection from
 12 money received from fees collected from occupational license
 13 applicants or licensees.

14 SECTION 10. IC 4-33-8-1.5 IS ADDED TO THE INDIANA CODE
 15 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 16 1, 2025]: **Sec. 1.5. An individual who meets any of the following**
 17 **descriptions, or who holds a position that meets the equivalent of**
 18 **any of the following descriptions, is required to hold an**
 19 **occupational license:**

20 (1) An individual who must hold an occupational license
 21 under:

- 22 (A) 68 IAC 2-2;
 23 (B) 68 IAC 2-3; or
 24 (C) 68 IAC 27-2.

- 25 (2) A key person, as defined by the commission.
 26 (3) A substantial owner, as defined by the commission.
 27 (4) An employee, agent, or affiliate of a gaming operation
 28 who:

- 29 (A) is not described in subdivisions (1) through (3);
 30 (B) has applied for or holds a license issued by the
 31 commission under IC 4-33-6, IC 4-33-7, IC 4-35, or
 32 IC 4-38; and

33 (C) the commission deems necessary to ensure compliance
 34 with this article and rules adopted under this article.

35 SECTION 11. IC 4-33-8-6 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 6. In accordance with**
 37 **IC 4-33-4-18**, an applicant for an occupational license must submit
 38 with the application two (2) sets of the applicant's fingerprints. The
 39 applicant must submit the fingerprints on forms provided by the
 40 commission. The commission shall charge each applicant a fee set by
 41 the state police department to defray the costs associated with the
 42 search and classification of the applicant's fingerprints.



1 SECTION 12. IC 25-38.1-4-5.5, AS AMENDED BY P.L.9-2014,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2025]: Sec. 5.5. (a) Each person who provides veterinary
4 medical services shall maintain medical records, as defined by rules
5 adopted by the board.

6 (b) Veterinary medical records include the following:

7 (1) Written records and notes, radiographs, sonographic images,
8 video recordings, photographs or other images, and laboratory
9 reports.

10 (2) Other information received as the result of consultation.

11 (3) Identification of any designated agent of the owner for the
12 purpose of authorizing veterinary medical or animal health care
13 decisions.

14 (4) Any authorizations, releases, waivers, or other related
15 documents.

16 (c) The client is entitled to a copy or summary of the veterinary
17 medical records. A veterinarian may charge a reasonable fee for
18 copying or summarizing the requested veterinary medical record. The
19 veterinarian may require that the request be in writing.

20 (d) Except as provided in subsections (e) and (f) or upon written
21 authorization of the client, an animal's veterinary medical record and
22 medical condition is confidential and may not be:

23 (1) furnished to; or

24 (2) discussed with;

25 any person other than the client or other veterinarians involved in the
26 care or treatment of the animal.

27 (e) An animal's veterinary medical records and medical condition
28 must be furnished within five (5) business days without written client
29 authorization under the following circumstances:

30 (1) Access to the records is specifically required by a state or
31 federal statute.

32 (2) An order by a court with jurisdiction in a civil or criminal
33 action upon the court's issuance of a subpoena and notice to the
34 client or the client's legal representative.

35 (3) As part of an inspection or investigation conducted by the
36 board or an agent of the board.

37 (4) As part of a request from a regulatory or health authority,
38 physician, or veterinarian:

39 (A) to verify a rabies vaccination of an animal; or

40 (B) to investigate a threat to human or animal health, or for the
41 protection of animal or public health and welfare.

42 (5) As a part of an animal cruelty report and associated applicable



1 records that are part of an abuse investigation by law enforcement
2 or a governmental agency.

3 (6) To a law enforcement agency as part of a criminal
4 investigation.

5 **(7) To the Indiana horse racing commission as part of an**
6 **investigation in which a horse under the care, control, or**
7 **ownership of a licensee (as defined in IC 4-31-2.1-19) has been**
8 **treated by the veterinarian or a member of the veterinarian's**
9 **staff.**

10 (f) An animal's veterinary medical records and medical condition
11 may be furnished without written client authorization under the
12 following circumstances:

13 (1) To the School of Veterinary Medicine at Purdue University,
14 the animal disease diagnostic laboratory, or a state agency or
15 commission. However, an animal's veterinary medical records
16 remain confidential unless the information is disclosed in a
17 manner allowed under this section.

18 (2) Veterinary medical records that are released by the board of
19 animal health when in the judgment of the state veterinarian the
20 disclosure is necessary or helpful in advancing animal health or
21 protecting public health.

22 (3) For statistical and scientific research, if the information is
23 abstracted in a way as to protect the identity of the animal and the
24 client.

25 (g) An animal's veterinary medical records must be kept and
26 maintained by the veterinarian for at least three (3) years after the
27 veterinarian's last encounter with the animal.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred House Bill 1053, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 8. IC 4-33-2-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 14. "Occupational license" means a license:

- (1) issued by the commission under IC 4-33-8; **and**
- (2) that must be held by an individual described in IC 4-33-8-1.5.**

SECTION 9. IC 4-33-4-18, AS AMENDED BY P.L.170-2005, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 18. (a) ~~The state police department may assist the commission in conducting background investigations of applicants. The commission may forward all fingerprints required to be submitted by license applicants under IC 4-33 to the Federal Bureau of Investigation or any other agency for the purpose of screening applicants. The commission shall reimburse the state police department for the costs incurred by the state police department as a result of the assistance. The commission shall make the payment from fees collected from applicants.~~

~~(b) (a) The commission, through its gaming agents, shall conduct background **criminal history** investigations of **occupational license** applicants. ~~Costs incurred conducting the investigations must be paid from fees collected from applicants.~~ **and occupational licensees under IC 4-33-8-1.5 for purposes of carrying out:**~~

- (1) the commission's statutory powers and responsibilities;**
- and**
- (2) rules adopted;**

under this article.

(b) For purposes of carrying out the commission's statutory powers and responsibilities, the commission shall require an applicant or licensee described in subsection (a) to submit the fingerprints of the applicant or licensee for review by the state police department and the Federal Bureau of Investigation:

- (1) for a criminal history record check; and**
- (2) in the form and manner required by the state police department and the Federal Bureau of Investigation.**

(c) The state police department shall provide to the commission the results of each criminal history record check requested by the



commission under:

- (1) this section; and
- (2) rules adopted under this article.

(d) The state police department may charge the commission a fee for a criminal history record check required under this section. The commission shall pay a fee charged under this subsection from money received from fees collected from occupational license applicants or licensees.

SECTION 10. IC 4-33-8-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 1.5. An individual who meets any of the following descriptions, or who holds a position that meets the equivalent of any of the following descriptions, is required to hold an occupational license:**

- (1) An individual who must hold an occupational license under:
 - (A) 68 IAC 2-2;
 - (B) 68 IAC 2-3; or
 - (C) 68 IAC 27-2.
- (2) A key person, as defined by the commission.
- (3) A substantial owner, as defined by the commission.
- (4) An employee, agent, or affiliate of a gaming operation who:
 - (A) is not described in subdivisions (1) through (3);
 - (B) has applied for or holds a license issued by the commission under IC 4-33-6, IC 4-33-7, IC 4-35, or IC 4-38; and
 - (C) the commission deems necessary to ensure compliance with this article and rules adopted under this article.

SECTION 11. IC 4-33-8-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 6. In accordance with IC 4-33-4-18, an applicant for an occupational license must submit with the application two (2) sets of the applicant's fingerprints. The applicant must submit the fingerprints on forms provided by the commission. The commission shall charge each applicant a fee set by the state police department to defray the costs associated with the search and classification of the applicant's fingerprints."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1053 as introduced.)

HB 1053—LS 6212/DI 107



Committee Vote: yeas 11, nays 0.

