

# HOUSE BILL No. 1239

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-33-24.

**Synopsis:** Paid fantasy sports registration fees and audits. Provides that a game operator that: (1) conducted paid fantasy sports games in Indiana before July 1, 2016; and (2) had fewer than 300 Indiana participants; shall pay a \$10,000 initial fee to conduct paid fantasy sports games, shall pay a \$1,000 annual fee to conduct paid fantasy sports games, and shall contract for financial audits of the game operator's operations every four years.

**Effective:** July 1, 2019.

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January 10, 2019, read first time and referred to Committee on Public Policy.

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First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

# HOUSE BILL No. 1239

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

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

1 SECTION 1. IC 4-33-24-15, AS ADDED BY P.L.212-2016,  
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2019]: Sec. 15. (a) A game operator must:  
4 (1) be authorized to transact business in Indiana under IC 23; and  
5 (2) pay to the division the initial fee imposed under subsection  
6 (b).  
7 (b) A game operator shall pay to the division an initial fee of:  
8 (1) **ten thousand dollars (\$10,000), if the game operator:**  
9 (A) **conducted paid fantasy sports games in Indiana before**  
10 **July 1, 2016; and**  
11 **(B) had, after June 30, 2015, and before July 1, 2016, fewer**  
12 **than three hundred (300) participants who resided in**  
13 **Indiana; or**  
14 (2) at least fifty thousand dollars (\$50,000);  
15 for the privilege of conducting paid fantasy sports games under this  
16 chapter. The division may increase the initial fee **under subdivision**  
17 **(2)** up to seventy-five thousand dollars (\$75,000) to pay for all of the



1 direct and indirect costs of the operation of the division.

2 (c) A game operator shall annually pay to the division a:

3 **(1) one thousand dollar (\$1,000) fee, if the game operator:**

4 **(A) conducted paid fantasy sports games in Indiana before**  
 5 **July 1, 2016; and**

6 **(B) had, after June 30, 2015, and before July 1, 2016, fewer**  
 7 **than three hundred (300) participants who resided in**  
 8 **Indiana; or**

9 **(2) five thousand dollar (\$5,000) fee;**

10 on the anniversary date of the payment made under subsection (b) to  
 11 renew the privilege of conducting paid fantasy sports games under this  
 12 chapter.

13 (d) The division shall deposit all fees received under this section in  
 14 the fantasy sports regulation and administration fund.

15 SECTION 2. IC 4-33-24-25, AS ADDED BY P.L.212-2016,  
 16 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17 JULY 1, 2019]: Sec. 25. **(a) Except as provided in subsection (b),** a  
 18 game operator shall contract annually with a certified public accountant  
 19 to perform a financial audit of the game operator's paid fantasy sports  
 20 game operations under this chapter to ensure compliance with this  
 21 chapter. The game operator shall submit the results of the audit to the  
 22 division. The same certified public accountant may not perform more  
 23 than two (2) consecutive financial audits for a game operator under this  
 24 section.

25 **(b) A game operator that:**

26 **(1) conducted paid fantasy sports games in Indiana before**  
 27 **July 1, 2016; and**

28 **(2) had, after June 30, 2015, and before July 1, 2016, fewer**  
 29 **than three hundred (300) participants who resided in Indiana;**

30 **shall contract with a certified public accountant to perform a**  
 31 **financial audit of the original game operator's paid fantasy sports**  
 32 **game operations under this chapter to ensure compliance with this**  
 33 **chapter, for the first calendar year after being licensed under this**  
 34 **chapter and every fourth year after the initial audit. The original**  
 35 **game operator shall submit the results of the audit to the division.**  
 36 **The same certified public accountant may not perform more than**  
 37 **two (2) consecutive financial audits for an original game operator**  
 38 **under this section.**

