

HOUSE BILL No. 1356

DIGEST OF INTRODUCED BILL

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

Synopsis: Interactive gaming. 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: July 1, 2022.

Gutwein, Manning

January 11, 2022, read first time and referred to Committee on Public Policy.



Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

HOUSE BILL No. 1356

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

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

- 1 SECTION 1. IC 4-1-8-1, AS AMENDED BY P.L.58-2019,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2022]: Sec. 1. (a) No individual may be compelled by any
4 state agency, board, commission, department, bureau, or other entity of
5 state government (referred to as "state agency" in this chapter) to
6 provide the individual's Social Security number to the state agency
7 against the individual's will, absent federal requirements to the
8 contrary. However, the provisions of this chapter do not apply to the
9 following:
10 (1) Department of state revenue.
11 (2) Department of workforce development.
12 (3) The programs administered by:
13 (A) the division of family resources;
14 (B) the division of mental health and addiction;
15 (C) the division of disability and rehabilitative services;
16 (D) the division of aging; and
17 (E) the office of Medicaid policy and planning;



- 1 of the office of the secretary of family and social services.
 2 (4) Auditor of state.
 3 (5) State personnel department.
 4 (6) Secretary of state, with respect to the registration of
 5 broker-dealers, agents, and investment advisors.
 6 (7) The lobby registration commission, with respect to the
 7 registration of lobbyists.
 8 (8) Indiana department of administration, with respect to bidders
 9 on contracts.
 10 (9) Indiana department of transportation, with respect to bidders
 11 on contracts.
 12 (10) Indiana professional licensing agency.
 13 (11) Department of insurance, with respect to licensing of
 14 insurance producers.
 15 (12) The department of child services.
 16 (13) A pension fund administered by the board of trustees of the
 17 Indiana public retirement system.
 18 (14) The state police benefit system.
 19 (15) The alcohol and tobacco commission.
 20 (16) The state department of health, for purposes of licensing
 21 radiologic technologists under IC 16-41-35-29(c).
 22 (b) The bureau of motor vehicles may, notwithstanding this chapter,
 23 require the following:
 24 (1) That an individual include the individual's Social Security
 25 number in an application for an official certificate of title for any
 26 vehicle required to be titled under IC 9-17.
 27 (2) That an individual include the individual's Social Security
 28 number on an application for registration.
 29 (3) That a corporation, limited liability company, firm,
 30 partnership, or other business entity include its federal tax
 31 identification number on an application for registration.
 32 (4) That an individual include the individual's Social Security
 33 number on an application for a license, a permit, or an
 34 identification card.
 35 (c) The Indiana department of administration, the Indiana
 36 department of transportation, and the Indiana professional licensing
 37 agency may require an employer to provide its federal employer
 38 identification number.
 39 (d) The department of correction may require a committed offender
 40 to provide the offender's Social Security number for purposes of
 41 matching data with the Social Security Administration to determine
 42 benefit eligibility.



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

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

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

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

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

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

23 SECTION 2. IC 4-3-26-7, AS ADDED BY P.L.269-2017,
24 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2022]: Sec. 7. As used in this chapter, "government
26 information" refers to any information created, received, maintained,
27 or stored by or otherwise in the control of a governmental entity,
28 regardless of the form or the media on which the information is
29 recorded. The term does not include any of the following:

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

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

34 (3) Other information made confidential by IC 4-2-6, IC 4-2-7,
35 IC 5-2-4, IC 31-33-18, IC 9-32-16-1, IC 10-13-3, 26 CFR 20, or
36 28 CFR 23.

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

41 SECTION 3. IC 4-33-2-2, AS AMENDED BY P.L.293-2019,
42 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2022]: Sec. 2. (a) "Adjusted gross receipts" means:

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

6 (2) the total of:

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

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

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

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

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

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

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

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

23 SECTION 4. IC 4-33-2-11.7 IS ADDED TO THE INDIANA CODE
24 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**
25 **1, 2022]: Sec. 11.7. "Interactive gaming" has the meaning set forth**
26 **in IC 4-39-2-4.**

27 SECTION 5. IC 4-33-3-22, AS AMENDED BY P.L.293-2019,
28 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 JULY 1, 2022]: Sec. 22. (a) The commission shall file a written annual
30 report with the governor before September 1 of each year. The
31 commission shall file any additional reports that the governor requests.

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

34 (1) The receipts and disbursements of the commission.

35 (2) Actions taken by the commission.

36 (3) The development and fiscal impact of:

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

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

39 (4) Any additional information and recommendations that:

40 (A) the commission considers useful; or

41 (B) the governor requests.

42 SECTION 6. IC 4-33-9-0.5 IS ADDED TO THE INDIANA CODE



1 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
2 1, 2022]: **Sec. 0.5. This chapter may not be construed to restrict the**
3 **authorized use of the Internet to conduct sports wagering under**
4 **IC 4-38 or interactive gaming under IC 4-39 by:**

- 5 (1) a licensed owner;
6 (2) an operating agent;
7 (3) a trustee in accordance with IC 4-33-21;
8 (4) a vendor contracted with a licensed owner, an operating
9 agent, or a trustee for the conduct of sports wagering under
10 IC 4-38; or
11 (5) an interactive gaming management service provider
12 contracted with a licensed owner, an operating agent, or a
13 trustee for the conduct of interactive gaming under IC 4-39.

14 SECTION 7. IC 4-33-12-0.5, AS AMENDED BY P.L.293-2019,
15 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2022]: Sec. 0.5. This chapter does not apply to the following:

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

21 SECTION 8. IC 4-33-13-0.5, AS ADDED BY P.L.293-2019,
22 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2022]: Sec. 0.5. This chapter does not apply to **the following:**

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

27 SECTION 9. IC 4-33-14-11, AS ADDED BY P.L.293-2019,
28 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 JULY 1, 2022]: Sec. 11. This chapter applies to:

- 30 (1) sports wagering conducted under IC 4-38; **and**
31 (2) **interactive gaming conducted under IC 4-39;**

32 by a licensed owner or an operating agent.

33 SECTION 10. IC 4-35-2-2, AS AMENDED BY P.L.293-2019,
34 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2022]: Sec. 2. (a) "Adjusted gross receipts" means:

- 36 (1) the total of all cash and property (including checks received
37 by a licensee, whether collected or not) received by a licensee
38 from gambling games, including amounts that are distributed by
39 a licensee under IC 4-35-7-12; minus
40 (2) the total of:
41 (A) all cash paid out to patrons as winnings for gambling
42 games; and



- 1 (B) uncollectible gambling game receivables, not to exceed the
 2 lesser of:
 3 (i) a reasonable provision for uncollectible patron checks
 4 received from gambling games; or
 5 (ii) two percent (2%) of the total of all sums, including
 6 checks, whether collected or not, less the amount paid out to
 7 patrons as winnings for gambling games.
- 8 For purposes of this section, a counter or personal check that is invalid
 9 or unenforceable under this article is considered cash received by the
 10 licensee from gambling games.
- 11 (b) The term does not include amounts received from:
 12 (1) sports wagering conducted by a licensee under IC 4-38; **or**
 13 (2) **interactive gaming conducted by a licensee under IC 4-39.**
- 14 SECTION 11. IC 4-35-2-5, AS AMENDED BY P.L.293-2019,
 15 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2022]: Sec. 5. (a) "Gambling game" means any of the
 17 following:
 18 (1) A game played on a slot machine approved for wagering under
 19 this article by the commission.
 20 (2) A game played on a slot machine through the use of a mobile
 21 gaming device approved under this article.
 22 (3) A table game approved by the commission under
 23 IC 4-35-7-19.
- 24 (b) The term does not include:
 25 (1) sports wagering conducted under IC 4-38; **or**
 26 (2) **interactive gaming conducted under IC 4-39.**
- 27 SECTION 12. IC 4-35-8-0.5 IS ADDED TO THE INDIANA CODE
 28 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
 29 1, 2022]: **Sec. 0.5. This chapter does not apply to the following:**
 30 (1) **Sports wagering conducted under IC 4-38.**
 31 (2) **Interactive gaming conducted under IC 4-39.**
- 32 SECTION 13. IC 4-35-8.5-0.5, AS ADDED BY P.L.293-2019,
 33 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2022]: Sec. 0.5. This chapter does not apply to sports
 35 wagering conducted under IC 4-38 **or interactive gaming conducted**
 36 **under IC 4-39.**
- 37 SECTION 14. IC 4-35-11-11, AS ADDED BY P.L.293-2019,
 38 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2022]: Sec. 11. This chapter applies to:
 40 (1) sports wagering conducted under IC 4-38; **and**
 41 (2) **interactive gaming conducted under IC 4-39;**
 42 by a licensee.



1 SECTION 15. IC 4-39 IS ADDED TO THE INDIANA CODE AS
2 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
3 2022]:

4 **ARTICLE 39. INTERACTIVE GAMING**

5 **Chapter 1. General Provisions**

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

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

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

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

- 24 (1) All powers and duties specified in this article.
25 (2) All powers necessary and proper to fully and effectively
26 execute this article.
27 (3) Jurisdiction and supervision over the following:
28 (A) All interactive gaming operations in Indiana.
29 (B) All persons engaged in offering, conducting, or
30 participating in interactive gaming under this article.
31 (4) Any power specified in IC 4-33 or IC 4-35 concerning the
32 supervision of persons conducting gambling games, patrons
33 wagering on gambling games, and the facilities in which
34 gambling games are conducted.
35 (5) To investigate and reinvestigate applicants, interactive
36 gaming licensees, interactive gaming management service
37 providers, and other licensees involved with interactive
38 gaming conducted under this article.
39 (6) To investigate alleged violations of this article.
40 (7) To revoke, suspend, or renew licenses under this article.
41 (8) To take any reasonable or appropriate action to enforce
42 this article.



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

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

4 (2) Conduct hearings.

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

8 (4) Administer oaths and affirmations to witnesses.

9 **Chapter 2. Definitions**

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

12 **Sec. 2. (a) "Adjusted gross receipts" means the total of all cash**
13 **and property (including checks received by an interactive gaming**
14 **licensee, whether collected or not) received by an interactive**
15 **gaming licensee from interactive gaming, minus the total of:**

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

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

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

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

26 (3) subject to IC 4-39-9-3, the monetary value of promotional
27 credits granted to interactive gaming patrons as an incentive
28 to participate in, or granted as a result of participation in,
29 interactive gaming.

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

32 **Sec. 3. (a) "Interactive game" means an Internet based version,**
33 **or a variation of, poker, blackjack, or other card, slot, and**
34 **gambling games typically offered in a casino, and any other game**
35 **approved by the commission, in which an individual wagers money**
36 **or something of monetary value for the opportunity to win money**
37 **or something of monetary value, and which is accessed by an**
38 **Internet connected computer or mobile device. The term includes**
39 **gaming tournaments conducted via the Internet in which players**
40 **compete against one another or in one (1) or more of the games**
41 **authorized in this article.**

42 **(b) The term does not include sports wagering conducted under**



1 IC 4-38 or paid fantasy sports games conducted under IC 4-33-24.

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

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

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

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

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

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

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

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

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

28 Sec. 9. "Interactive gaming skin" means a distinctly branded
29 interactive gaming platform operated by an interactive gaming
30 operator, which may encompass an Internet web site, mobile
31 application, or other portal to the interactive gaming platform. The
32 brand may be that of the interactive gaming licensee or its affiliate,
33 the interactive management service provider, or another brand as
34 agreed upon by the interactive gaming licensee and its interactive
35 management service provider.

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

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



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

5 **Sec. 12. "Permissible jurisdiction"** means another jurisdiction
 6 from which wagers may be accepted according to an interactive
 7 gaming reciprocal agreement entered into under IC 4-39-10.

8 **Sec. 13. "Person"** means an individual, a sole proprietorship, a
 9 partnership, an association, a fiduciary, a corporation, a limited
 10 liability company, or any other business entity.

11 **Chapter 3. Powers and Duties of the Commission**

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

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

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

31 **Chapter 4. Interactive Gaming Authorized**

32 **Sec. 1.** A person holding an interactive gaming license issued
 33 under this chapter is authorized to conduct interactive gaming
 34 under this article beginning September 1, 2022.

35 **Sec. 2.** Beginning July 1, 2022, the commission may accept
 36 applications for interactive gaming licenses from any licensed
 37 owner, operating agent, or permit holder that wishes to conduct
 38 interactive gaming under this article. The commission shall
 39 prescribe the form of the application.

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

- 42 (1) submit an application to the commission in the manner



1 prescribed by the commission; and

2 (2) pay an initial fee of five hundred thousand dollars
3 (\$500,000).

4 Sec. 4. (a) Upon:

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

7 (2) approving the submitted application;

8 the commission shall issue an interactive gaming license to a
9 licensed owner, an operating agent, or a permit holder authorizing
10 the licensed owner, operating agent, or permit holder to conduct
11 interactive gaming under this article.

12 (b) An interactive gaming license must be renewed annually
13 upon the payment of an annual administrative fee of fifty thousand
14 dollars (\$50,000). The fee imposed by this section is due one (1)
15 year after the date that the interactive gaming licensee commences
16 interactive gaming operations under this article and on each
17 annual anniversary date thereafter. The commission shall deposit
18 the administrative fees received under this section in the
19 interactive gaming fund established by section 7 of this chapter.

20 Sec. 5. The commission shall deposit fees received under section
21 3 of this chapter in the interactive gaming fund established by
22 section 7 of this chapter.

23 Sec. 6. When considering a person's application for an
24 interactive gaming license, the commission may issue the person a
25 temporary license to conduct business under this article if:

26 (1) the person has filed with the commission:

27 (A) a completed application; or

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

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

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

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

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

42 (ii) the person fails to cooperate with the commission in



1 the commission's investigation into the qualifications and
2 suitability of the person for an interactive gaming
3 license.

4 **Sec. 7. (a) The interactive gaming fund is established.**

5 **(b) The commission shall administer the fund.**

6 **(c) The fund consists of the following:**

7 **(1) Initial fees deposited in the fund under section 5 of this**
8 **chapter.**

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

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

13 **(d) The expenses of administering the fund shall be paid from**
14 **the fund.**

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

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

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

23 **Sec. 8. An interactive gaming licensee may offer no more than**
24 **three (3) individually branded interactive gaming skins. The**
25 **interactive gaming licensee may operate the platforms or contract**
26 **with up to three (3) interactive management service providers to**
27 **conduct interactive gaming in accordance with the rules of the**
28 **commission and this article.**

29 **Sec. 9. The primary server or servers for an interactive gaming**
30 **platform must be located within a facility that is secure and**
31 **inaccessible to the public. The primary server or servers may be**
32 **located anywhere in the United States that is in compliance with**
33 **federal law. The intermediate routing of electronic data in**
34 **connection with interactive gaming, including across state lines,**
35 **does not determine the location or locations in which a wager is**
36 **initiated, received, or otherwise made.**

37 **Sec. 10. An interactive gaming licensee, and any interactive**
38 **management service providers conducting interactive gaming**
39 **under an agreement with the interactive gaming licensee, may only**
40 **offer an interactive game that is approved by the commission.**

41 **Chapter 5. Interactive Gaming Platform Requirements**

42 **Sec. 1. An interactive gaming operator may accept wagers on an**



1 interactive gaming platform only if:

2 (1) the wager is placed directly with the interactive gaming
3 operator through an interactive wagering account; and

4 (2) the interactive gaming operator has verified that the
5 person placing the wager is:

6 (A) at least twenty-one (21) years of age;

7 (B) the holder of the interactive wagering account; and

8 (C) physically located within Indiana or a permissible
9 jurisdiction using technology meeting the requirements of
10 this chapter.

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

14 (1) less than twenty-one (21) years of age;

15 (2) not physically located within Indiana or a permissible
16 jurisdiction; or

17 (3) otherwise excluded from interactive gaming;

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

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

22 (1) Verify that an interactive gaming patron is at least
23 twenty-one (21) years of age.

24 (2) Ensure that wagering on interactive games is limited to
25 transactions that are initiated and received within Indiana or
26 a permissible jurisdiction.

27 (3) Verify that an interactive gaming patron is physically
28 located within Indiana or a permissible jurisdiction.

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

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



1 **Sec. 4. An interactive gaming operator shall implement**
 2 **appropriate standards to protect the privacy and security of**
 3 **participants to a reasonable degree of certainty. Interactive gaming**
 4 **operators shall establish and offer participants the option to**
 5 **protect their accounts with multi-factor authentication or**
 6 **authentication features such as personal identification numbers or**
 7 **biometric data.**

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

13 **Sec. 6. An interactive gaming licensee shall:**

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

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

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

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

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

- 29 (1) in person at a riverboat or racetrack; or
 30 (2) over the Internet without appearing in person.

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

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

- 39 (1) in person at a riverboat or racetrack;
 40 (2) over the Internet through electronic means, including
 41 through the use of:
 42 (A) debit and credit cards;



- 1 **(B) automated clearing house transfers; or**
 2 **(C) wire transfers;**
 3 **(3) through the use of deposits and withdrawals of cash or**
 4 **gaming chips at cashiering locations approved by the**
 5 **commission;**
 6 **(4) through the use of reliable prepaid cards, cash**
 7 **complimentary, promotional credits, or bonus credits; or**
 8 **(5) through any other means approved by the commission.**
 9 **Sec. 4. An interactive gaming operator shall maintain within its**
 10 **internal controls mechanisms and procedures for detecting**
 11 **unauthorized access to interactive wagering accounts,**
 12 **unauthorized attempts to access interactive wagering accounts, and**
 13 **suspicious interactive wagering activity constituting cheating, theft,**
 14 **embezzlement, collusion, money laundering, and other illegal**
 15 **activity.**
 16 **Chapter 7. Other License and Integrity Requirements**
 17 **Sec. 1. A person may not obtain any of the following licenses**
 18 **required for conducting business under this article unless the**
 19 **person meets the suitability requirements determined by the**
 20 **commission:**
 21 **(1) An interactive gaming license.**
 22 **(2) An interactive management service provider license.**
 23 **(3) A supplier's license.**
 24 **(4) An occupational license.**
 25 **Sec. 2. (a) A person may apply for an interactive gaming**
 26 **management service provider license in the form required by the**
 27 **commission. The commission may provide an abbreviated**
 28 **application for a person that holds or has a pending application for**
 29 **a management service provider license for sports wagering or**
 30 **other types of gaming under Indiana law. To obtain an interactive**
 31 **gaming management service provider license under this article, an**
 32 **applicant must pay to the commission a license fee of one hundred**
 33 **thousand dollars (\$100,000).**
 34 **(b) An interactive management service provider license issued**
 35 **under this section is valid for one (1) year and may be renewed**
 36 **upon payment of a renewal fee of twenty-five thousand dollars**
 37 **(\$25,000).**
 38 **(c) The commission shall deposit fees received under this section**
 39 **in the interactive gaming fund established by IC 4-39-4-7.**
 40 **Sec. 3. (a) An interactive gaming platform and all technology**
 41 **used to conduct interactive gaming must be:**
 42 **(1) approved by the commission; and**



1 (2) acquired by an interactive gaming operator from a person
2 holding a supplier's license or an interactive gaming
3 management service provider license.
4 (b) The commission shall determine whether other supplies and
5 equipment used to conduct interactive gaming require an
6 interactive gaming licensee to acquire the supplies and equipment
7 from a person holding a supplier's license or an interactive gaming
8 management service provider license. The commission shall deposit
9 any license fees collected under this section in the interactive
10 gaming fund established by IC 4-39-4-7.
11 (c) IC 4-33-7 applies to the conduct of interactive gaming under
12 this article and the acquisition of the technology, equipment, and
13 supplies necessary to conduct interactive gaming.
14 Sec. 4. The commission shall determine the occupations related
15 to interactive gaming that require an occupational license.
16 IC 4-33-8 applies to the conduct of interactive gaming under this
17 article. The commission shall deposit any license fees collected
18 under this section in the interactive gaming fund established by
19 IC 4-39-4-7.
20 Sec. 5. An interactive gaming operator shall conduct:
21 (1) background checks on newly hired employees engaged in
22 activities related to the conducting of interactive gaming; and
23 (2) annual background checks on all existing employees
24 engaged in activities related to the conducting of interactive
25 gaming.
26 A background check conducted under this section must include a
27 search for criminal history and any charges or convictions
28 involving corruption, identity theft, the manipulation of sporting
29 events, and any association with organized crime.
30 Sec. 6. The commission may require a background investigation
31 of any officer, director, or shareholder holding at least five percent
32 (5%) of the equity interests of an applicant for a license described
33 in this chapter. The commission may recover the actual costs of an
34 investigation conducted under this section from the applicant. The
35 commission may accept a background investigation conducted by
36 another state with licensing standards similar to those established
37 under this article and the rules of the commission.
38 Chapter 8. Responsible Interactive Gaming
39 Sec. 1. (a) The commission shall develop responsible interactive
40 gaming measures, including a statewide responsible gaming data
41 base identifying individuals who are prohibited from establishing
42 an interactive wagering account or participating in interactive



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

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

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

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

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

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

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

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

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

40 (6) That an interactive gaming operator under the jurisdiction
41 of the commission may not cash the check of a person
42 participating in the program, deposit money in an interactive



1 wagering account belonging to the person, or extend credit to
 2 the person in any manner. However, the voluntary exclusion
 3 program does not preclude an owner from seeking the
 4 payment of a debt accrued by a person before entering the
 5 program.

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

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

11 **(2) the person violates this article; or**

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

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

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

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

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

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

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

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

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

41 **(b) Self imposed wagering or deposit limits take effect**
 42 **immediately. However, if an interactive gaming patron makes an**



1 increase to a previously imposed limit, the increase does not take
 2 effect until the expiration of the previously imposed limit per the
 3 terms of the participant's original election.

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

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

15 Chapter 9. Interactive Gaming Tax

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

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

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

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

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

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

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

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

42 (b) On July 15 of each year, the department shall transfer an



1 amount equal to three and thirty-three hundredths percent
 2 (3.33%) of the tax revenue deposited into the state general fund
 3 under subsection (a)(1) in the previous state fiscal year to the
 4 addition services fund established by IC 12-23-2-2.

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

- 7 (1) the prevention of;
 8 (2) education regarding;
 9 (3) provider credentialing of professionals engaged in the
 10 treatment and prevention of; and
 11 (4) the treatment of;
 12 compulsive gambling.

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

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

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

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

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

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

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

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

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

42 **(2) For each interactive gaming licensee operating a casino**



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

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

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

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

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

18 (4) is considered miscellaneous revenue.

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

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

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

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

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

39 **Chapter 11. Child Support**

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



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

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

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

9 **(B) one hundred dollars (\$100); and**

10 **(2) shall:**

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

13 **(B) transmit to the bureau:**

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

16 **(ii) identifying information, including the full name,**
 17 **address, and Social Security number of the obligor and**
 18 **the child support case identifier, the date and amount of**
 19 **the payment, and the name of the interactive gaming**
 20 **licensee; and**

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

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

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

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

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

38 SECTION 16. IC 31-25-4-32, AS AMENDED BY P.L.150-2018,
 39 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2022]: Sec. 32. (a) When the Title IV-D agency finds that an
 41 obligor is delinquent, the Title IV-D agency shall send, to a verified
 42 address, a notice to the obligor that does the following:



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



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



- 1 to the obligor until the bureau of motor vehicles receives a further
 2 order from the Title IV-D agency.
- 3 (d) The Title IV-D agency shall provide the:
- 4 (1) full name;
 5 (2) date of birth;
 6 (3) verified address; and
 7 (4) Social Security number or driving license number;
 8 of the obligor to the bureau of motor vehicles.
- 9 (e) Whenever the Title IV-D agency finds that an obligor who is an
 10 applicant (as defined in IC 25-1-1.2-1) or a practitioner (as defined in
 11 IC 25-1-1.2-6) is delinquent and the applicant or practitioner has failed
 12 to:
- 13 (1) pay the obligor's child support arrearage in full;
 14 (2) establish a payment plan with the Title IV-D agency to pay the
 15 arrearage, which includes an income withholding order under
 16 IC 31-16-15-2 or IC 31-16-15-2.5; or
 17 (3) request a hearing under section 33 of this chapter;
 18 the Title IV-D agency shall issue an order to the board regulating the
 19 practice of the obligor's profession or occupation stating that the
 20 obligor is delinquent.
- 21 (f) An order issued under subsection (e) must direct the board or
 22 department regulating the obligor's profession or occupation to impose
 23 the appropriate sanctions described under IC 25-1-1.2.
- 24 (g) Whenever the Title IV-D agency finds that an obligor who is an
 25 attorney or a licensed teacher is delinquent and the attorney or licensed
 26 teacher has failed to:
- 27 (1) pay the obligor's child support arrearage in full;
 28 (2) establish a payment plan with the Title IV-D agency to pay the
 29 arrearage, which includes an income withholding order under
 30 IC 31-16-15-2 or IC 31-16-15-2.5; or
 31 (3) request a hearing under section 33 of this chapter;
 32 the Title IV-D agency shall notify the supreme court disciplinary
 33 commission if the obligor is an attorney, or the department of education
 34 if the obligor is a licensed teacher, that the obligor is delinquent.
- 35 (h) Whenever the Title IV-D agency finds that an obligor who holds
 36 a license issued under IC 4-31-6, IC 4-33, ~~or~~ IC 4-35, **IC 4-38, or**
 37 **IC 4-39** has failed to:
- 38 (1) pay the obligor's child support arrearage in full;
 39 (2) establish a payment plan with the Title IV-D agency to pay the
 40 arrearage, which includes an income withholding order under
 41 IC 31-16-15-2 or IC 31-16-15-2.5; or
 42 (3) request a hearing under section 33 of this chapter;



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

7 (i) Whenever the Title IV-D agency finds that an obligor who holds
 8 a license issued under IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3 has
 9 failed to:

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

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

19 (j) Whenever the Title IV-D agency finds that an obligor who holds
 20 a license issued by the department of natural resources under
 21 IC 14-22-12, IC 14-22-14, IC 14-22-16, IC 14-22-17, IC 14-22-19,
 22 IC 14-24-7, or IC 14-31-3 has failed to:

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

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

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

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

40 the Title IV-D agency shall issue an order to the alcohol and tobacco
 41 commission stating that the obligor is delinquent and directing the
 42 alcohol and tobacco commission to impose the appropriate sanctions



1 under IC 7.1-3-23-44.

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

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

- 6 (1) paid the obligor's child support arrearage in full; or
7 (2) established a payment plan with the Title IV-D agency to pay
8 the arrearage, which includes an income withholding order under
9 IC 31-16-15-2 or IC 31-16-15-2.5;

10 the Title IV-D agency shall provide notice to the appropriate entity
11 under subsection (b), (e), (g), (h), (i), (j), or (k) that the obligor has
12 addressed the delinquency.

13 SECTION 17. IC 31-25-4-34, AS AMENDED BY P.L.150-2018,
14 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2022]: Sec. 34. (a) As used in this section, "board" has the
16 meaning set forth in IC 25-1-1.2-2.

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

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

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

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

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

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

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



1 (e) If an obligor holds a license issued by the department of natural
 2 resources under IC 14-22-12, IC 14-22-14, IC 14-22-16, IC 14-22-17,
 3 IC 14-22-19, IC 14-24-7, or IC 14-31-3 and requests a hearing under
 4 section 33 of this chapter but fails to appear, or appears and is found to
 5 be delinquent, the Title IV-D agency shall issue an order to the director
 6 of the department of natural resources:

- 7 (1) stating that the obligor is delinquent; and
 8 (2) requiring the director to suspend or revoke a license issued by
 9 the department as provided in IC 14-11-3.

10 (f) If an obligor:

- 11 (1) holds an employee's permit issued under IC 7.1-3-18-9(a)(3);
 12 and
 13 (2) requests a hearing under section 33 of this chapter but fails to
 14 appear or appears and is found to be delinquent;

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

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

- 20 (1) paid the obligor's child support arrearage in full; or
 21 (2) established a payment plan with the Title IV-D agency to pay
 22 the arrearage, which includes an income withholding order under
 23 IC 31-16-15-2 or IC 31-16-15-2.5;

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

27 SECTION 18. IC 35-45-5-15 IS ADDED TO THE INDIANA
 28 CODE AS A NEW SECTION TO READ AS FOLLOWS
 29 [EFFECTIVE JULY 1, 2022]: **Sec. 15. This chapter does not apply**
 30 **to interactive gaming conducted under IC 4-39.**

