



February 14, 2023

SENATE BILL No. 113

DIGEST OF SB 113 (Updated February 13, 2023 1:48 pm - DI 140)

Citations Affected: IC 4-33; IC 35-52.

Synopsis: Political contributions by a gambling organization. Defines "gambling organization" and provides that a gambling organization or a person who has an interest in a gambling organization may not make a contribution to certain candidates and committees. Makes a conforming change.

Effective: July 1, 2023.

Ford Jon

January 9, 2023, read first time and referred to Committee on Rules and Legislative Procedure.
February 13, 2023, amended; reassigned to Committee on Elections.

SB 113—LS 6070/DI 13



February 14, 2023

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

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2022 Regular Session of the General Assembly.

SENATE BILL No. 113

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

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

- 1 SECTION 1. IC 4-33-10-2.1, AS AMENDED BY P.L.158-2013,
2 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2023]: Sec. 2.1. (a) This section applies only to contributions
4 made after June 30, 1996.
5 (b) The definitions in IC 3-5-2 **and IC 35-45-5** apply to this section
6 to the extent they do not conflict with the definitions in this article.
7 (c) As used in this section, "candidate" refers to any of the
8 following:
9 (1) A candidate for a state office.
10 (2) A candidate for a legislative office.
11 (3) A candidate for a local office.
12 (d) As used in this section, "committee" refers to any of the
13 following:
14 (1) A candidate's committee.
15 (2) A regular party committee.
16 (3) A committee organized by a legislative caucus of the house of
17 the general assembly.

SB 113—LS 6070/DI 13



- 1 (4) A committee organized by a legislative caucus of the senate
 2 of the general assembly.
- 3 (e) As used in this section, "gambling organization" means a
 4 person who is not a licensee but who owns, maintains, or otherwise
 5 operates a business or enterprise involving, or intending to involve:
 6 (1) gambling; or
 7 (2) the manufacture, operation, or distribution of:
 8 (A) electronic gaming devices; or
 9 (B) gambling devices.
- 10 (f) As used in this section, "license" means:
 11 (1) an owner's license issued under this article;
 12 (2) a supplier's license issued under this article to a supplier of
 13 gaming supplies or equipment, including electronic gaming
 14 equipment; or
 15 (3) an operating agent contract issued under this article.
- 16 (g) As used in this section, "licensee" means a person who holds
 17 a license. The term includes an operating agent.
- 18 (h) As used in this section, "officer" refers only to either of the
 19 following:
 20 (1) An individual listed as an officer of a corporation in the
 21 corporation's most recent annual report.
 22 (2) An individual who is a successor to an individual described in
 23 subdivision (1).
- 24 (i) For purposes of this section, a person is considered to have
 25 an interest in a licensee **or in a gambling organization** if the person
 26 satisfies any of the following:
 27 (1) The person holds at least a one percent (1%) interest in the
 28 licensee **or in the gambling organization.**
 29 (2) The person is an officer of the licensee **or of the gambling**
 30 **organization.**
 31 (3) The person is an officer of a person that holds at least a one
 32 percent (1%) interest in the licensee **or in the gambling**
 33 **organization.**
 34 (4) The person is a political action committee of the licensee **or**
 35 **of the gambling organization.**
- 36 (j) A licensee **or gambling organization** is considered to have
 37 made a contribution if a contribution is made by a person who has an
 38 interest in the licensee **or in the gambling organization.**
- 39 (k) A licensee or a person who has an interest in a licensee may
 40 not make a contribution to a candidate or a committee during the
 41 following periods:
 42 (1) The term during which the licensee holds a license.



1 (2) The three (3) years following the final expiration or
2 termination of the licensee's license.

3 **(l) A gambling organization or a person who has an interest in**
4 **a gambling organization may not make a contribution to a**
5 **candidate or to a committee.**

6 ~~(k)~~ **(m)** A person who knowingly or intentionally violates this
7 section commits a Level 6 felony.

8 SECTION 2. IC 35-52-4-26, AS ADDED BY P.L.169-2014,
9 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2023]: Sec. 26. IC 4-33-10-2.1 defines a crime concerning
11 ~~riverboat gambling.~~ **contributions to a candidate or committee.**



COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 113, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

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

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Elections.

(Reference is to SB 113 as introduced.)

BRAY, Chairperson

