

IC 4-33-9

Chapter 9. Gambling Operations

IC 4-33-9-1

Approved gambling locations

Sec. 1. Gambling may be conducted on a riverboat or in a facility in which a card tournament approved under section 10.5 of this chapter is conducted by:

- (1) a licensed owner;
- (2) an operating agent; or
- (3) a trustee in accordance with IC 4-33-21.

As added by P.L.277-1993(ss), SEC.124. Amended by P.L.92-2003, SEC.39; P.L.142-2009, SEC.15; P.L.15-2011, SEC.7.

IC 4-33-9-2

Docked riverboats; inapplicability to flexible scheduling

Sec. 2. (a) This section does not apply to a riverboat that has implemented flexible scheduling under IC 4-33-6-21.

(b) Except as provided in subsections (c) and (d), gambling may not be conducted while a riverboat is docked.

(c) If the master of the riverboat reasonably determines and certifies in writing that:

- (1) specific weather conditions, water conditions, or traffic conditions present a danger to the riverboat and the riverboat's passengers and crew;
- (2) either the vessel or the docking facility is undergoing mechanical or structural repair;
- (3) water traffic conditions present a danger to:
 - (A) the riverboat, riverboat passengers, and crew; or
 - (B) other vessels on the water; or
- (4) the master has been notified that a condition exists that would cause a violation of federal law if the riverboat were to cruise;

the riverboat may remain docked and gaming may take place until the master determines that the conditions have sufficiently diminished or been corrected for the riverboat to safely proceed or the duration of the authorized excursion has expired.

(d) The commission shall by rule permit gambling to be conducted for periods of not more than thirty (30) minutes during passenger embarkation and not more than thirty (30) minutes during passenger disembarkation.

As added by P.L.277-1993(ss), SEC.124. Amended by P.L.20-1995, SEC.15; P.L.55-1995, SEC.3; P.L.192-2002(ss), SEC.16.

IC 4-33-9-3

Cruises; duration

Sec. 3. (a) Except as provided in subsection (b), a riverboat cruise may not exceed four (4) hours for a round trip.

(b) Subsection (a) does not apply to an extended cruise that is expressly approved by the commission.

As added by P.L.277-1993(ss), SEC.124. Amended by P.L.192-2002(ss), SEC.17.

IC 4-33-9-4

Minimum and maximum wagers

Sec. 4. Minimum and maximum wagers on gambling games shall be determined by the person who has been issued an owner's license or an operating agent contract.

As added by P.L.277-1993(ss), SEC.124. Amended by P.L.92-2003, SEC.40.

IC 4-33-9-5

Inspection of riverboats

Sec. 5. The following may board and inspect a riverboat at any time to determine if this article is being violated:

- (1) Employees of the commission.
- (2) Officers of the state police department.
- (3) Conservation officers of the department of natural resources.

As added by P.L.277-1993(ss), SEC.124.

IC 4-33-9-6

Stopping riverboat for law enforcement officer, conservation officer, or commission agent

Sec. 6. A riverboat that is under way must stop immediately and lay to if the riverboat is hailed by a state police officer, a conservation officer of the department of natural resources, or an agent of the commission.

As added by P.L.277-1993(ss), SEC.124.

IC 4-33-9-7

Presence of commission employees and conservation officers on riverboats or facilities

Sec. 7. Employees of the commission and conservation officers of the department of natural resources have the right to be present on a riverboat or adjacent facilities under the control of a person who has been issued an owner's license or operating agent contract.

As added by P.L.277-1993(ss), SEC.124. Amended by P.L.92-2003, SEC.41.

IC 4-33-9-8

Gambling equipment and supplies; purchase or lease

Sec. 8. Gambling equipment and supplies customarily used in conducting riverboat gambling may be purchased or leased only from suppliers licensed under this article.

As added by P.L.277-1993(ss), SEC.124.

IC 4-33-9-9

Permitted forms of wagering

Sec. 9. A person who has been issued an owner's license or an

operating agent contract may not permit any form of wagering on gambling games except as permitted under this article.

As added by P.L.277-1993(ss), SEC.124. Amended by P.L.92-2003, SEC.42.

IC 4-33-9-10

Presence required for wagering

Sec. 10. (a) Wagers may be received only from a person present on a riverboat or in a facility in which a card tournament approved under section 10.5 of this chapter is conducted.

(b) A person present on a riverboat or in a facility in which a card tournament approved under section 10.5 of this chapter is conducted may not place or attempt to place a wager on behalf of another person who is not present on the riverboat or in the facility during the approved card tournament.

As added by P.L.277-1993(ss), SEC.124. Amended by P.L.92-2003, SEC.43; P.L.15-2011, SEC.8.

IC 4-33-9-10.5

Card tournaments in approved facilities

Sec. 10.5. (a) A licensed owner or an operating agent may apply to the commission for approval to conduct card tournaments at a facility other than the riverboat on which the licensed owner or operating agent is authorized to conduct gambling games under this article.

(b) The application must specify the facility in which the licensed owner or operating agent will conduct the card tournament if the application is approved. The facility must be in a hotel or other permanent structure that is:

(1) owned or leased by the licensed owner or operating agent; and

(2) located on land that is adjacent to:

(A) the dock to which the applicant's riverboat is moored; or

(B) the land on which the applicant's riverboat is situated, in the case of an application submitted by an operating agent.

(c) The application must be submitted on a form prescribed by the commission. The application must state the:

(1) date;

(2) time;

(3) place; and

(4) nature;

of the proposed card tournament. The commission may require the applicant to submit any additional information relevant to the commission's consideration of the application.

(d) As a condition of its approval, the commission may impose upon the applicant any requirement that the commission determines is necessary to protect the credibility and integrity of gambling operations authorized by this article.

As added by P.L.15-2011, SEC.9.

IC 4-33-9-11

Negotiable currency; wagering prohibited

Sec. 11. Wagering may not be conducted with money or other negotiable currency.

As added by P.L.277-1993(ss), SEC.124.

IC 4-33-9-12

Persons under 21 years of age; presence in gambling area

Sec. 12. (a) Except as provided in subsection (b), a person who is less than twenty-one (21) years of age may not be present in the area of a riverboat where gambling is being conducted.

(b) A person who is at least eighteen (18) years of age and who is an employee of the riverboat gambling operation may be present in the area of the riverboat where gambling is conducted. However, an employee who is less than twenty-one (21) years of age may not perform any function involving gambling by the patrons.

As added by P.L.277-1993(ss), SEC.124.

IC 4-33-9-13

Persons under 21 years of age; wagering prohibited

Sec. 13. A person who is less than twenty-one (21) years of age may not make a wager under this article.

As added by P.L.277-1993(ss), SEC.124.

IC 4-33-9-14

Navigability of waterways

Sec. 14. (a) This section applies only to a riverboat that operates from a county that is contiguous to the Ohio River.

(b) A cruise is permitted only when the navigable waterway for which the riverboat is licensed is navigable, as determined by the commission in consultation with the United States Army Corps of Engineers.

As added by P.L.277-1993(ss), SEC.124. Amended by P.L.192-2002(ss), SEC.18.

IC 4-33-9-15

Acquisition of tokens, chips, or electronic cards

Sec. 15. (a) All tokens, chips, or electronic cards that are used to make wagers must be acquired from the owner or operating agent of the riverboat:

- (1) while present in the riverboat; or
- (2) at an on-shore facility that:
 - (A) has been approved by the commission; and
 - (B) is located where the riverboat docks.

(b) The tokens, chips, or electronic cards may be acquired by means of an agreement under which the owner or operating agent extends credit to the patron.

As added by P.L.277-1993(ss), SEC.124. Amended by P.L.92-2003, SEC.44; P.L.229-2013, SEC.15.

IC 4-33-9-16**Tokens, chips, or electronic cards; use**

Sec. 16. Tokens, chips, or electronic cards may be used while aboard the riverboat only for the purpose of making wagers on gambling games.

As added by P.L.277-1993(ss), SEC.124.

IC 4-33-9-17**Approval of limited mobile gaming systems**

Sec. 17. (a) A licensed owner or operating agent may request approval from the commission to use a limited mobile gaming system in the gambling operations of the licensed owner or operating agent.

(b) The commission may approve the use of a limited mobile gaming system under this article to allow a patron to wager on gambling games while present in the gaming area (as defined under the rules of the commission) of a riverboat. A patron may not transmit a wager using a mobile gaming device while present in any other location.

As added by P.L.229-2013, SEC.16.