IC 4-31-2

Chapter 2. Definitions

IC 4-31-2-1

Application of definitions

Sec. 1. The definitions in this chapter apply throughout this article.

As added by P.L.341-1989(ss), SEC.2.

IC 4-31-2-1.5

"Approved limited mobile gaming system"

Sec. 1.5. "Approved limited mobile gaming system" means a limited mobile gaming system approved by the commission under IC 4-31-7-10.

As added by P.L.229-2013, SEC.1.

IC 4-31-2-2

"Breakage"; "breaks"

Sec. 2. "Breakage" or "breaks" means the odd cents of all redistributions to be made on all mutuel contributions exceeding a sum equal to the next lowest multiple of ten (10).

As added by P.L.341-1989(ss), SEC.2.

IC 4-31-2-2.2

"Bureau"

Sec. 2.2. "Bureau" refers to the child support bureau established by IC 31-25-3-1.

As added by P.L.23-1996, SEC.1. Amended by P.L.145-2006, SEC.6.

IC 4-31-2-3

"Chemist"

Sec. 3. "Chemist" means an official racing chemist designated by the commission.

As added by P.L.341-1989(ss), SEC.2.

IC 4-31-2-4

"Commission"

Sec. 4. "Commission" refers to the Indiana horse racing commission.

As added by P.L.341-1989(ss), SEC.2.

IC 4-31-2-5

"Commission veterinarian"

Sec. 5. "Commission veterinarian" means a veterinarian properly licensed in Indiana and designated as the commission veterinarian by the commission.

As added by P.L.341-1989(ss), SEC.2.

IC 4-31-2-5.5
"Delinquent"

Sec. 5.5. "Delinquent" means at least:

(1) two thousand dollars ($2,000); or

(2) three (3) months;

past due on payment of court ordered child support.

As added by P.L.23-1996, SEC.2.

IC 4-31-2-6
"Exotic wagering"

Sec. 6. "Exotic wagering" means a system of betting or wagering that:

(1) is separate and distinct from the win, place, and show pools; and

(2) is approved by the commission.

The term includes the daily double (and other wagers depending upon results of more than one (1) race), quinella, perfecta, and trifecta.

As added by P.L.341-1989(ss), SEC.2. Amended by P.L.24-1992, SEC.2.

IC 4-31-2-7
"Foreign substances"

Sec. 7. "Foreign substances" means all substances except those that exist naturally in an untreated horse at normal physiological concentration, and includes all narcotics, stimulants, depressants, or other drugs or medications of any type.

As added by P.L.341-1989(ss), SEC.2.

IC 4-31-2-7.5
"Gambling game"

Sec. 7.5. "Gambling game" has the meaning set forth in IC 4-35-2-5.

As added by P.L.255-2015, SEC.2.

IC 4-31-2-8
"Hypodermic injection"

Sec. 8. "Hypodermic injection" means an injection into or under the skin or mucosa including intradermal injection, subcutaneous injection, submucosal injection, intravenous injection, intra-arterial injection, intra-articular injection, intrabursal injection, and intraocular (intraconjunctival) injection.

As added by P.L.341-1989(ss), SEC.2.

IC 4-31-2-9
"License"

Sec. 9. "License" means a license issued by the commission under IC 4-31-6.

As added by P.L.341-1989(ss), SEC.2.

IC 4-31-2-9.5
"Licensed facility"

Sec. 9.5. "Licensed facility" refers to the following:

(1) A racetrack at which live horse racing is conducted in accordance with a permit issued by the commission under IC 4-31-5.

(2) A satellite facility licensed under IC 4-31-5.5.

As added by P.L.221-2013, SEC.1.

IC 4-31-2-10
"Licensee"

Sec. 10. "Licensee" means an individual who has received a license from the commission.

As added by P.L.341-1989(ss), SEC.2.

IC 4-31-2-10.1
"Outs"

Sec. 10.1. "Outs" means all pari-mutuel tickets unpresented or unclaimed as of sixty (60) days after the conclusion of the calendar year in which the ticket was purchased.

As added by P.L.24-1992, SEC.3.

IC 4-31-2-10.3
"Limited mobile gaming system"

Sec. 10.3. "Limited mobile gaming system" refers to a system that enables a permit holder to accept pari-mutuel horse racing wagers from patrons who are present at:

(1) a satellite facility; or

(2) a simulcast facility located at the permit holder's racetrack;

through the use of mobile gaming devices approved under this article.

As added by P.L.229-2013, SEC.2.

IC 4-31-2-10.4
"Mobile gaming device"

Sec. 10.4. "Mobile gaming device" means an electronic device, including software, that does the following:

(1) Displays information related to pari-mutuel horse racing.

(2) Enables a patron to place a wager on pari-mutuel horse racing from an approved location using money placed into a deposit account maintained under the rules of the commission.

As added by P.L.229-2013, SEC.3.

IC 4-31-2-10.5
"Live racing day"

Sec. 10.5. "Live racing day" means a day on which at least eight

(8) live horse races are conducted.
As added by P.L.233-2007, SEC.2.

IC 4-31-2-11
"Owner"
Sec. 11. "Owner" includes part owner or lessee, but an interest in the winnings of a horse does not of itself constitute ownership.
As added by P.L.341-1989(ss), SEC.2.

IC 4-31-2-12
"Pari-mutuel wagering"
Sec. 12. "Pari-mutuel wagering" means a system of wagering in which those persons who wager on horses that finish in specified positions share the total amount wagered, minus deductions permitted by law.
As added by P.L.341-1989(ss), SEC.2.

IC 4-31-2-13
"Permit"
Sec. 13. "Permit" means a permit issued by the commission under IC 4-31-5 to conduct a pari-mutuel wagering horse racing meeting in Indiana.
As added by P.L.341-1989(ss), SEC.2.

IC 4-31-2-14
"Permit holder"
Sec. 14. "Permit holder" means a person that has received a permit from the commission.
As added by P.L.341-1989(ss), SEC.2.

IC 4-31-2-15
"Person"
Sec. 15. "Person" includes an individual, a corporation, a trust, a partnership, a limited liability company, a limited partnership, an association, a person, or other entity.
As added by P.L.341-1989(ss), SEC.2. Amended by P.L.8-1993, SEC.37.

IC 4-31-2-16
"Person required to have a license"
Sec. 16. "Person required to have a license" means an individual whose activities on a racetrack would require the person to be licensed.
As added by P.L.341-1989(ss), SEC.2.

IC 4-31-2-17
"Possession" or "in their possession"
Sec. 17. "Possession" or "in their possession" means:

(1) in, on, or about a licensee's person or a vehicle that the licensee owns, uses, or has access to; and

(2) the entire area assigned to and occupied or used by a licensee, including barns, stables, stalls, tack rooms, or feed rooms.

As added by P.L.341-1989(ss), SEC.2.

IC 4-31-2-17.5

"Promotional action"

Sec. 17.5. "Promotional action" means any action or expenditure of the commission for the purpose of developing the horse racing industry throughout Indiana, including the payment of any administrative costs incurred by the commission to promote the horse racing industry in Indiana.

As added by P.L.256-2015, SEC.1.

IC 4-31-2-18

"Race"

Sec. 18. "Race" means a contest of speed among horses:

(1) for a purse, stakes, premiums, wager of money, or for admission fees;

(2) on a course; and

(3) in the presence of a judge or judges.

As added by P.L.341-1989(ss), SEC.2.

IC 4-31-2-19

"Racing meeting"

Sec. 19. "Racing meeting" means the period of time for which permission to conduct horse racing has been granted to a permit holder by the commission.

As added by P.L.341-1989(ss), SEC.2.

IC 4-31-2-19.5

"Racing official"

Sec. 19.5. "Racing official" refers to either of the following:

(1) An individual employed by a permit holder during a racing meeting whose employment must be reported to the commission under IC 4-31-5-5 or the rules of the commission.

(2) An individual who:

(A) is employed as an assistant to an individual described in subdivision (1); and

(B) performs duties integral to the conduct of pari-mutuel horse racing.

As added by P.L.221-2013, SEC.2.

IC 4-31-2-20

"Recognized meeting"

Sec. 20. "Recognized meeting" means a horse racing meeting

conducting pari-mutuel wagering for which a permit has been issued by the commission or by the racing authority of another state or foreign country.
As added by P.L.341-1989(ss), SEC.2.

IC 4-31-2-20.5
"Satellite facility"
Sec. 20.5. "Satellite facility" means a location, other than a racetrack, authorized by the commission at which pari-mutuel wagering is conducted on horse racing conducted at distant locations and viewable by televised simulcasting.
As added by P.L.24-1992, SEC.4.

IC 4-31-2-20.6
"Simulcast"
Sec. 20.6. "Simulcast" means the communication by electronic device of a race at a recognized meeting and information related to the race, including:
(1) a personal computer or other device which enables communication over the Internet;
(2) a private network;
(3) an interactive video display or television;
(4) a wireless communication technology; or
(5) an interactive computer service (as defined in IC 35-45-5-1(g)).
As added by P.L.212-2016, SEC.1.

IC 4-31-2-20.7
"Slot machine"
Sec. 20.7. "Slot machine" refers to a type of electronic gaming device approved by the Indiana gaming commission for wagering under IC 4-35.
As added by P.L.233-2007, SEC.3.

IC 4-31-2-21
"State testing barn"
Sec. 21. "State testing barn" means the facility provided by each racetrack and approved by the commission as the location where all horses designated for testing shall be taken by the trainer or the trainer's representative immediately following a race so that necessary blood or urine samples may be obtained from the horse.
As added by P.L.341-1989(ss), SEC.2.

IC 4-31-2-22
Repealed
(As added by P.L.341-1989(ss), SEC.2. Repealed by P.L.34-2006, SEC.3.)

IC 4-31-2-23
"Test sample"

Sec. 23. "Test sample" means a body substance taken from a horse for the purpose of analysis, under the supervision of the commission or state veterinarian and in the manner prescribed by the commission.
As added by P.L.341-1989(ss), SEC.2.

IC 4-31-2-24
"Veterinarian"

Sec. 24. "Veterinarian" means a veterinary practitioner who is:

(1) licensed to practice in Indiana; and

(2) authorized by the holder of a permit to practice at a racetrack.

As added by P.L.341-1989(ss), SEC.2.

IC 4-31-2-25
"Winterized track"

Sec. 25. "Winterized track" means a track with:

(1) an enclosed clubhouse and grandstand;

(2) an all-weather racing track;

(3) heated facilities for jockeys or drivers;

(4) backstretch facilities that are properly prepared for winter racing; and

(5) adequate snow removal equipment.

As added by P.L.341-1989(ss), SEC.2.