

**ORDER 2019-174**  
**AN ORDER OF THE INDIANA GAMING COMMISSION REGARDING**  
**MAJESTIC STAR CASINO, LLC'S REQUEST TO MOVE TO**  
**AN INLAND CASINO PURSUANT TO IND. CODE § 4-33-6-4.5**

Ind. Code § 4-33-6-4.5 allows a casino owner licensee located in Gary, Indiana to submit a request to the Commission to relocate the casino owner licensee's gaming operations to an inland casino within Gary. On July 17, 2019, Majestic Star Casino, LLC ("Majestic Star") submitted its Gary Inland Casino Move Application seeking approval from the Commission for such move.

In order to relocate inland in Gary, Majestic Star must satisfy the conditions set forth in Ind. Code § 4-33-6-4.5. First, Majestic Star must submit an agreement with the legislative body of the city of Gary before January 1, 2020. Second, Majestic Star must comply with all building codes and any safety requirements imposed by the Commission. Third, Majestic Star must submit to the Commission a plan for complying with Ind. Code § 4-33-14, regarding minority and women's business participation in the construction and conduct of the gaming operations at an inland casino. Fourth, Majestic Star must submit to the Commission a plan for transferring existing Majestic Star employees to an inland casino and hiring and training new employees for an inland location pursuant to Ind. Code § 4-33-6-4.5(h). Finally, Majestic Star must pay a total of \$20,000,000 to the Commission in annual installments of \$4,000,000. The initial \$4,000,000 payment is due upon Commission approval of the request to relocate, and the remaining annual payments are each due on the anniversary date of the first payment.

Further, Ind. Code § 4-33-6-4.5(c) sets forth five (5) factors the Commission shall consider when determining whether to approve a request to relocate. Those factors are as follows: (1) economic benefits; (2) tax revenue; (3) the number of new jobs; (4) whether Majestic Star plans an investment of at least one hundred fifty million dollars (\$150,000,000) for the relocation, with sixty-five percent (65%) of Majestic Star's proposed investment for the development of a casino, and thirty-five percent (35%) of the proposed investment for the development of nongaming amenities; and (5) any other issue deemed appropriate by the commission.

Lastly, if the Commission approves of the request to relocate, Majestic Star shall relinquish the casino owner's licenses held by Majestic Star Casino II, LLC. Ind. Code § 4-33-6-4.5(d). The Commission may impose any additional requirement on Majestic Star as it seeks to relocate gaming operations. Id.

Majestic Star submitted Resolution 2019-06 from the Gary Common Council dated August 27, 2019, consenting to the move inland.

**COMMISSION ACTION**

The Commission hereby **APPROVES** Majestic Star's request to move gaming operations to an inland casino within Gary.

Further, the casino owner's license held by Majestic Star Casino II, LLC is relinquished pursuant to Ind. Code § 4-33-6-4.5(d).

The Commission's approval of the request is conditioned upon the following:

1. Majestic Star must comply with all building codes and any safety requirements imposed by the Commission.
2. Majestic Star must submit to the Commission a plan for complying with Ind. Code § 4-33-14, regarding minority and women's business participation in the construction and conduct of the gaming operations at an inland casino.
3. Majestic Star must submit to the Commission a plan for transferring existing Majestic Star employees to an inland casino and hiring and training new employees for an inland location pursuant to Ind. Code § 4-33-6-4.5(h).
4. Majestic Star must pay a total of \$20,000,000 to the Commission in annual installments of \$4,000,000. The initial \$4,000,000 payment is due by the effective date of this Order, and the remaining annual payments are each due on the anniversary date of the first payment.

Additionally, the Commission's approval of the request is conditioned upon Majestic Star meeting all conditions contained in Ind. Code § 4-33-6-4.5. As an additional requirement imposed pursuant to Ind. Code § 4-33-6-4.5(d), Majestic Star must receive plan approval. The details of what the plan must include and approval authority of the plan are hereby delegated to the Executive Director.

EFFECTIVE DATE


This Order shall be effective once it becomes a final Order upon the occurrence of the passage of fifteen (15) days following the receipt of the Order from the Indiana Gaming Commission as set forth in Ind. Code § 4-21.5-3-5.

**IT IS SO ORDERED THIS 28th DAY OF AUGUST, 2019.**

**THE INDIANA GAMING COMMISSION:**

**ATTEST:**

  
Michael McMains, Chair

  
Joseph Svetanoff, Secretary