

PROPOSED AMENDMENT

HB 1106 # 3

DIGEST

Regulated amusement devices. Provides that the department of homeland security (department) shall not inspect and operating permits are not required for certain regulated amusement devices. Provides that the department may perform an inspection of an exempted regulated amusement device only if a valid complaint or incident is reported to the department concerning the regulated amusement device.

1 Delete everything after the enacting clause and insert the following:
2 SECTION 1. IC 22-12-1-23, AS AMENDED BY P.L.160-2009,
3 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2024]: Sec. 23. "Regulated place of amusement or
5 entertainment" refers to the following:

6 (1) A theater, opera house, movie theater, dance hall, night club
7 with a stage or floor show, or another place that offers an
8 amusement or entertainment to the public for consideration or
9 promotional purposes.

10 (2) A place where a boxing, sparring, or unarmed combat match
11 or exhibition is conducted under the supervision of the state
12 athletic commission.

13 (3) A hall, gymnasium, or place of assembly where a school,
14 college, university, social or fraternal organization, lodge, farmers
15 organization, society, labor union, trade association, or church
16 holds any type of amusement.

17 (4) A public or private place where a regulated amusement device
18 is operated, **excluding devices described in IC 22-15-7-0.6.**

19 SECTION 2. IC 22-15-7-0.6 IS ADDED TO THE INDIANA CODE
20 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
21 1, 2024]: **Sec. 0.6. (a) Except as provided in subsection (c), the**
22 **department shall not inspect and operating permits are not**
23 **required for the following regulated amusement devices:**

24 (1) **A barrel train pulled by a garden tractor to a rubber tired**
25 **farm tractor propelled by a motor of not more than forty (40)**
26 **horsepower.**

1 **(2) A regulated amusement device exempt from the operating**
2 **permit and inspection requirements by a rule of the**
3 **commission.**

4 **(b) A regulated amusement device covered by this section shall**
5 **comply with all other requirements applicable to regulated**
6 **amusement devices in this chapter.**

7 **(c) The department may perform an inspection of a regulated**
8 **amusement device covered by this section only if a valid complaint**
9 **or incident is reported to the department concerning the regulated**
10 **amusement device.**

(Reference is to HB 1106 as introduced.)