

Adopted	Rejected
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COMMITTEE REPORT

YES:	11
NO:	1

MR. SPEAKER:

*Your Committee on Insurance, Corporations and Small Business, to which was referred Senate Bill 233, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 insurance, public libraries, and fireworks.
- 4 Delete everything after the enacting clause and insert the following:
- 5 SECTION 1. IC 20-14-1-8 IS ADDED TO THE INDIANA CODE
- 6 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 7 1, 2000]: **Sec. 8. A township trustee of a township that is not served**
- 8 **by a public library may pay the cost of a library card at the nearest**
- 9 **library for a resident of the township upon request of the resident.**
- 10 SECTION 2. IC 22-11-14-4 IS AMENDED TO READ AS
- 11 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 4. (a) Nothing in this
- 12 chapter shall be construed to prohibit:
- 13 (1) any resident wholesaler, manufacturer, importer, or distributor
- 14 from selling:
- 15 (A) at wholesale fireworks not prohibited by this chapter; ~~or~~
- 16 (B) fireworks not approved for sale in Indiana if they are to be

1 shipped directly out of state within five (5) days of the date of
2 sale; **or**

3 **(C) common fireworks to a person who is at least sixteen**
4 **(16) years of age.**

5 (2) the use of fireworks by railroads or other transportation
6 agencies for signal purposes or illumination;

7 (3) the sale or use of blank cartridges for:

8 (A) a show or theater;

9 (B) signal or ceremonial purposes in athletics or sports; or

10 (C) use by military organizations;

11 (4) the intrastate sale of fireworks not approved for sale in Indiana
12 between interstate wholesalers;

13 (5) the possession, sale, or disposal of fireworks, incidental to the
14 public display of Class B fireworks, by wholesalers or other
15 persons who possess a permit to possess, store, and sell Class B
16 explosives from the Bureau of Alcohol, Tobacco and Firearms,
17 United States Department of the Treasury; or

18 (6) the use of indoor pyrotechnics special effects material before
19 an indoor or outdoor proximate audience.

20 (b) For the purposes of this section, a resident wholesaler, importer,
21 or distributor, is a person who:

22 (1) is a resident of Indiana;

23 (2) possesses for resale common fireworks approved or not
24 approved for sale in Indiana;

25 (3) is engaged in the interstate sale of common fireworks
26 described in subdivision (2) as an essential part of a business that
27 is located in a permanent structure and is open at least six (6)
28 months each year;

29 (4) sells common fireworks described in subdivision (2) only to
30 purchasers who provide a written and signed assurance that the
31 fireworks are to be shipped out of Indiana within five (5) days of
32 the date of sale; and

33 (5) has possession of a certificate of compliance issued by the
34 state fire marshal under section 5 of this chapter.

35 (c) A purchaser may not provide a written and signed assurance that
36 the fireworks purchased are to be shipped out of Indiana and then sell
37 or use them in Indiana.

38 SECTION 3. IC 22-11-14-6 IS AMENDED TO READ AS

1 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 6. A person who
 2 violates section 4(c), 5(c), 5(d), 7, or 8, or **8.3** of this chapter commits
 3 a Class A misdemeanor.

4 SECTION 4. IC 22-11-14-8.3 IS ADDED TO THE INDIANA
 5 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 6 [EFFECTIVE JULY 1, 2000]: **Sec. 8.3. A person shall not knowingly**
 7 **or intentionally sell fireworks, at wholesale or at retail, to a person**
 8 **who is less than sixteen (16) years of age.**

9 SECTION 5. IC 22-11-14-8.5 IS ADDED TO THE INDIANA
 10 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 11 [EFFECTIVE JULY 1, 2000]: **Sec. 8.5. A person less than sixteen**
 12 **(16) years of age who purchases fireworks commits:**

13 **(1) a Class C infraction; and**

14 **(2) a delinquent act under IC 31-37-2-7.**

15 SECTION 6. IC 27-1-3-30 IS ADDED TO THE INDIANA CODE
 16 AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY
 17 1, 2000]: **Sec. 30. (a) The commissioner may adopt rules under**
 18 **IC 4-22-2 imposing regulatory requirements on an interinsurance**
 19 **association or reciprocal or interinsurance exchange organized and**
 20 **operating on or before January 1, 1991, for the sole purpose of**
 21 **writing worker's compensation insurance. The rules may require**
 22 **the attorney-in-fact that manages the interinsurance association or**
 23 **reciprocal or interinsurance exchange to satisfy the requirements**
 24 **imposed under this section.**

25 **(b) The requirements imposed under this section may include**
 26 **the duty to submit one (1) or more financial statements specified by**
 27 **the commissioner annually.**

28 **(c) If an entity described in subsection (a) fails to comply with**
 29 **rules adopted under this section, the commissioner may:**

30 **(1) seek:**

31 **(A) an injunction against the entity; and**

32 **(B) a judicial order compelling compliance with the rules;**
 33 **and**

34 **(2) bar the entity from doing business in Indiana for**
 35 **continuing or repeated failure to comply with the rules.**

36 SECTION 7. IC 27-1-12-44 IS ADDED TO THE INDIANA CODE
 37 AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY
 38 1, 2000]: **Sec. 44. A life insurance policy that is issued, delivered,**

1 **amended, or renewed after June 30, 2000, must contain a provision**
2 **that:**

- 3 (1) **accelerates the death benefit for terminal illness; and**
- 4 (2) **provides the option of a lump sum payment of the death**
- 5 **benefit.**

6 SECTION 8. IC 27-8-19.8-0.5 IS ADDED TO THE INDIANA
7 CODE AS A NEW SECTION TO READ AS FOLLOWS
8 [EFFECTIVE JULY 1, 2000]: **Sec. 0.5. (a) A viatical settlement**
9 **contract that is entered into after June 30, 2000, is void as against**
10 **public policy.**

11 (b) **Sections 1 through 26 of this chapter apply only to viatical**
12 **settlement contracts entered into before July 1, 2000.**

13 SECTION 9. IC 31-30-1-2 IS AMENDED TO READ AS
14 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 2. Except as provided
15 in IC 33-5-29.5-4 ~~IC 33-5-35.1-4~~, and section 8 of this chapter, the
16 juvenile law does not apply to the following:

- 17 (1) A child at least sixteen (16) years of age who allegedly
- 18 committed a violation of a traffic law, the violation of which is a
- 19 misdemeanor, unless the violation is an offense under IC 9-30-5.
- 20 (2) A child who is alleged to have committed a violation of a
- 21 statute defining an infraction, except as provided under IC 7.1-5-7
- 22 **and IC 22-11-14-8.5.**
- 23 (3) A child who is alleged to have committed a violation of an
- 24 ordinance.
- 25 (4) A child who:
- 26 (A) is alleged to have committed an act that would be a crime
- 27 if committed by an adult; and
- 28 (B) has previously been waived under IC 31-30-3 (or
- 29 IC 31-6-2-4 before its repeal) to a court having misdemeanor
- 30 or felony jurisdiction.

31 SECTION 10. IC 31-37-2-7 IS ADDED TO THE INDIANA CODE
32 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY

1 1, 2000]: **Sec. 7. A child commits a delinquent act if, before**
2 **becoming sixteen (16) years of age, the child violates**
3 **IC 22-11-14-8.5 concerning minors and the purchase of fireworks.**
 (Reference is to SB 233 as reprinted January 28, 2000.)

and when so amended that said bill do pass.

Representative Fry