
SENATE BILL No. 463

DIGEST OF INTRODUCED BILL

Citations Affected: IC 34-6-2-88.3; IC 34-31-7.

Synopsis: Premises liability. Provides that if a person enters the premises of a nonprofit religious organization with the permission of the nonprofit religious organization, the nonprofit religious organization has a duty to: (1) warn the person of a hidden danger on the premises if a representative of the nonprofit religious organization has actual knowledge of the hidden danger; and (2) refrain from intentionally harming the person. Provides that if a person enters the premises of a nonprofit religious organization without the permission of the nonprofit religious organization, the nonprofit religious organization has only a duty to refrain from intentionally harming the person.

Effective: July 1, 2000.

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January 10, 2000, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.

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Second Regular Session 111th General Assembly (2000)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1999 General Assembly.

SENATE BILL No. 463



A BILL FOR AN ACT to amend the Indiana Code concerning civil law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 34-6-2-88.3 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2000]: **Sec. 88.3. "Nonprofit religious organization", for**
- 4 **purposes of IC 34-31-7, means an organization, a church, a body**
- 5 **of communicants, or a group:**
- 6 (1) **organized primarily for religious purposes and not for**
- 7 **pecuniary profit that operates under:**
- 8 (A) **Section 501 of the Internal Revenue Code; or**
- 9 (B) **the Section 501 nonprofit status of the parent**
- 10 **organization of the organization, church, body of**
- 11 **communicants, or group; and**
- 12 (2) **whose constitution, charter, articles, or bylaws contain a**
- 13 **clause that provides that upon dissolution, all remaining**
- 14 **assets must:**
- 15 (A) **be used for nonprofit religious purposes; or**
- 16 (B) **revert to the parent organization for nonprofit**
- 17 **religious purposes.**

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1 SECTION 2. IC 34-31-7 IS ADDED TO THE INDIANA CODE AS
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2000]:

4 **Chapter 7. Premises Liability of Nonprofit Religious**
5 **Organizations**

6 **Sec. 1. A nonprofit religious organization has only the following**
7 **duty concerning persons who enter premises owned, operated, or**
8 **controlled by the nonprofit religious organization:**

9 (1) **If a person enters the premises with the actual or implied**
10 **permission of the nonprofit religious organization, the**
11 **nonprofit religious organization has a duty to:**

12 (A) **warn the person of a hidden danger on the premises if**
13 **a representative of the nonprofit religious organization has**
14 **actual knowledge of the hidden danger; and**

15 (B) **refrain from intentionally harming the person.**

16 (2) **If a person enters the premises without the actual or**
17 **implied permission of the nonprofit religious organization, the**
18 **nonprofit religious organization has only a duty to refrain**
19 **from intentionally harming the person.**

20 SECTION 3. [EFFECTIVE JULY 1, 2000] **This act applies only to**
21 **a cause of action that accrues after June 30, 2000.**

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