

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Senate Bill 206 be amended to read as follows:

- 1 Page 5, between lines 7 and 8, begin a new paragraph and insert:
- 2 "SECTION 4. IC 35-49-3-3 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. **(a) Except as**
- 4 **provided in subsection (b)**, a person who knowingly or intentionally:
- 5 (1) disseminates matter to minors that is harmful to minors;
- 6 (2) displays matter that is harmful to minors in an area to which
- 7 minors have visual, auditory, or physical access, unless each
- 8 minor is accompanied by his parent or guardian;
- 9 (3) sells or displays for sale to any person matter that is harmful
- 10 to minors within five hundred (500) feet of the nearest property
- 11 line of a school or church;
- 12 (4) engages in or conducts a performance before minors that is
- 13 harmful to minors;
- 14 (5) engages in or conducts a performance that is harmful to
- 15 minors in an area to which minors have visual, auditory, or
- 16 physical access, unless each minor is accompanied by his parent
- 17 or guardian;
- 18 (6) misrepresents his age for the purpose of obtaining admission
- 19 to an area from which minors are restricted because of the display
- 20 of matter or a performance that is harmful to minors; or
- 21 (7) misrepresents that he is a parent or guardian of a minor for the
- 22 purpose of obtaining admission of the minor to an area where
- 23 minors are being restricted because of display of matter or
- 24 performance that is harmful to minors;

1 commits a Class D felony.  
2       **(b) This section does not apply if a person disseminates,**  
3 **displays, or otherwise makes available the matter described in**  
4 **subsection (a) through the Internet, computer electronic transfer,**  
5 **or a computer network, unless:**  
6       **(1) the matter is obscene under IC 35-49-2-1;**  
7       **(2) the matter is child pornography under IC 35-42-4-4; or**  
8       **(3) the person distributes the matter to a child less than**  
9       **eighteen (18) years of age knowing that the recipient is a child**  
10       **less than eighteen (18) years of age."**  
11 Page 5, line 8, delete "and" and insert ",".  
12 Page 5, line 9, after "IC 35-49-1-3," insert "**and IC 35-49-3-3**".  
13 Page 5, line 9, delete "both" and insert "**all**".  
14 Renumber all SECTIONS consecutively.  
(Reference is to ESB 206 as printed April 9, 2001.)

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Representative Dvorak