

Adopted	Rejected
---------	----------

COMMITTEE REPORT

YES: 11
NO: 0

MR. SPEAKER:

*Your Committee on Human Affairs, to which was referred House Bill 1649, 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 Page 1, line 3, delete "2001" and insert "2003".
- 2 Page 2, delete lines 21 through 27, begin a new paragraph and
- 3 insert:
- 4 **"(d) "Harmful to minors" refers to an amusement machine that:**
- 5 **(1) predominantly appeals to:**
- 6 **(A) minors' morbid interest in violence; or**
- 7 **(B) minors' prurient interest in sex;**
- 8 **(2) is patently offensive to prevailing standards in the adult**
- 9 **community as a whole with respect to what is suitable**
- 10 **material for persons less than eighteen (18) years of age;**
- 11 **(3) lacks serious literary, artistic, political, or scientific value**
- 12 **as a whole for persons less than eighteen (18) years of age;**
- 13 **and**
- 14 **(4) contains:**
- 15 **(A) graphic violence; or**
- 16 **(B) strong sexual content.**

1 (e) "Graphic violence" means an amusement machine's visual
2 depiction or representation of realistic serious injury to a human
3 or human-like being, including amputation, decapitation,
4 dismemberment, bloodshed, mutilation, maiming, or disfiguration.

5 (f) "Strong sexual content" means the visual depiction or
6 representation by an amusement machine of nudity (as defined in
7 IC 35-49-1-5) or sexual conduct (as defined in IC 35-49-1-9) by a
8 human or human-like being."

9 Page 2, line 28, delete "(e)" and insert "(g)".

10 Page 4, after line 24, begin a new paragraph and insert:

11 "Sec. 7. This chapter does not preempt an ordinance, a bylaw,
12 or a rule, or any amendment to an ordinance, bylaw, or rule,
13 adopted by:

14 (1) a county;

15 (2) a city;

16 (3) a township;

17 (4) a department, a board, or an agency of a:

18 (A) county;

19 (B) city; or

20 (C) township; or

21 (5) any other political subdivision or agency of the state;
22 concerning regulation of an amusement machine harmful to
23 minors that was enacted, promulgated, or adopted before the
24 effective date of this chapter."

(Reference is to HB 1649 as introduced.)

and when so amended that said bill do pass.

Representative Summers