

HOUSE BILL No. 1374

DIGEST OF INTRODUCED BILL

Citations Affected: IC 34-6-2; IC 34-30-21.

Synopsis: Immunity for advertisers or sponsors. Grants immunity from civil liability for advertisers or sponsors of certain events at which beverages are sold or provided.

Effective: July 1, 2005.

Walorski

January 13, 2005, read first time and referred to Committee on Judiciary.

C
o
p
y



First Regular Session 114th General Assembly (2005)

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 2004 Regular Session of the General Assembly.

C
o
p
y

HOUSE BILL No. 1374



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 34-6-2-3.3 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2005]: **Sec. 3.3. (a) "Advertiser or sponsor", for purposes of**
4 **IC 34-30-21, means a person who for political, commercial,**
5 **educational, benevolent, or charitable purposes:**
6 **(1) donates or contributes money, materials, or products; or**
7 **(2) pays fees to advertise or display trademarks;**
8 **in connection with an event.**
9 **(b) The term does not include a person who exercises primary**
10 **control over an event.**
11 SECTION 2. IC 34-6-2-44.3 IS ADDED TO THE INDIANA CODE
12 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
13 1, 2005]: **Sec. 44.3. "Event", for purposes of section 3.3 of this**
14 **chapter and IC 34-30-21, means:**
15 **(1) a performance;**
16 **(2) a benefit;**
17 **(3) a fundraiser;**



1 **(4) an auction;**
 2 **(5) a meal; or**
 3 **(6) another occasion;**
 4 **at which beverages are sold or provided.**
 5 SECTION 3. IC 34-30-21 IS ADDED TO THE INDIANA CODE
 6 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2005]:
 8 **Chapter 21. Events: Immunity of Advertiser or Sponsor**
 9 **Sec. 1. This chapter does not grant immunity from civil liability**
 10 **to the following:**
 11 **(1) A person who engages in intentional, willful, wanton, or**
 12 **reckless behavior.**
 13 **(2) A person who contractually assumes civil liability in**
 14 **connection with an event.**
 15 **Sec. 2. An advertiser or a sponsor of an event is immune from**
 16 **civil liability for the acts or omissions of:**
 17 **(1) the advertiser or sponsor; and**
 18 **(2) any other person;**
 19 **in connection with an event.**
 20 **Sec. 3. An advertiser or sponsor may not be considered to be:**
 21 **(1) part of a joint venture;**
 22 **(2) the principal of an agent; or**
 23 **(3) the employer of an employee;**
 24 **with regard to a person participating in an event in a capacity**
 25 **other than that of an advertiser or sponsor.**

**C
o
p
y**

