

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1101 be amended to read as follows:

- 1 Page 13, between lines 41 and 42, begin a new paragraph and
2 insert:
3 "SECTION 11. IC 35-49-3-3 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 3. (a) Except as
5 provided in subsection (b), a person who knowingly or intentionally:
6 (1) disseminates matter to minors that is harmful to minors;
7 (2) displays matter that is harmful to minors in an area to which
8 minors have visual, auditory, or physical access, unless each
9 minor is accompanied by the minor's parent or guardian;
10 (3) sells, **rents**, or displays for sale **or rent** to any person matter
11 that is harmful to minors within five hundred (500) feet of the
12 nearest property line of a school or church;
13 (4) engages in or conducts a performance before minors that is
14 harmful to minors;
15 (5) engages in or conducts a performance that is harmful to
16 minors in an area to which minors have visual, auditory, or
17 physical access, unless each minor is accompanied by the minor's
18 parent or guardian;
19 (6) misrepresents the minor's age for the purpose of obtaining
20 admission to an area from which minors are restricted because of
21 the display of matter or a performance that is harmful to minors;
22 or
23 (7) misrepresents that the person is a parent or guardian of a
24 minor for the purpose of obtaining admission of the minor to an
25 area where minors are being restricted because of display of
26 matter or performance that is harmful to minors;
27 commits a Class D felony.
28 (b) This section does not apply if a person disseminates, displays,
29 or makes available the matter described in subsection (a) through the
30 Internet, computer electronic transfer, or a computer network unless:
31 (1) the matter is obscene under IC 35-49-2-1;

1 (2) the matter is child pornography under IC 35-42-4-4; or
2 (3) the person distributes the matter to a child less than eighteen
3 (18) years of age believing or intending that the recipient is a
4 child less than eighteen (18) years of age."
5 Renumber all SECTIONS consecutively.
(Reference is to EHB 1101 as printed February 10, 2006.)

Senator DROZDA