

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WITHDRAWN	Noes _____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

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

**MR. SPEAKER:**

I move that House Bill 1242 be amended to read as follows:

- 1           Page 7, between lines 25 and 26, begin a new paragraph and
- 2           insert:
- 3           "SECTION 8. IC 7.1-3-21-11, AS AMENDED BY P.L.77-1997,
- 4           SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5           JULY 1, 1998]: Sec. 11. (a) As used in this section, "wall" means a
- 6           wall of a building. The term does not include a boundary wall.
- 7           (b) Except as provided in subsection (c), the commission shall not
- 8           issue a permit for a premises if a wall of the premises is situated within
- 9           two hundred (200) feet from a wall of a school or church, if no permit
- 10          has been issued for the premises under the provisions of Acts 1933,
- 11          Chapter 80
- 12          (c) ~~This subsection applies to a county having a population of~~
- 13          ~~more than one hundred eight thousand nine hundred fifty (108,950) but~~
- 14          ~~less than one hundred twelve thousand (112,000). The commission~~
- 15          ~~shall not issue a permit for a premises if a wall of the premises is~~
- 16          ~~situated within two hundred (200) feet from a wall of a school or~~
- 17          ~~church unless all of the following apply:~~
- 18               (1) The permit is a beer dealer or wine dealer permit for a
- 19               grocery store.
- 20               (2) **One (1) of the following applies:**
- 21                   (A) The main entrance of the grocery store and the main
- 22                   entrance of the school or church face different streets or
- 23                   roads.
- 24                   (⊖) **(B)** There is a physical barrier between the grocery store

1                   and the school or church that prevents a person from  
2                   moving between the two (2) properties. ~~and~~  
3                   ~~(4)~~ (3) A wall of the grocery store is not situated within one  
4                   hundred (100) feet from a wall of the school or church.  
5                   **(c) The local board having jurisdiction over the territory**  
6                   **where the premises is located may waive any of the requirements**  
7                   **of this section on an individual permit basis."**  
8                   Renumber all SECTIONS consecutively.  
                    (Reference is to HB 1242 as printed January 30, 1998.)

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Representative Dobis