

January 23, 1998

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## SENATE BILL No. 474

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DIGEST OF SB 474 (Updated January 22, 1998 12:58 pm - DI 84)

**Citations Affected:** IC 35-46-1-11.3.

**Synopsis:** Tobacco advertisement. Provides that after December 31, 1998, a person may not advertise tobacco products within 1,000 feet of a public or private elementary or secondary school, a licensed day care center, or a playground or park controlled by a political subdivision of the state. (Current law prohibits advertising on billboards within 1,000 feet of a public or private elementary or secondary school.) Removes an exemption that currently allows advertisements for tobacco products to be posted at street level on the exterior of a business establishment where tobacco products are manufactured, distributed, or sold.

**Effective:** July 1, 1998.

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**Gard**

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January 14, 1998, read first time and referred to Committee on Rules and Legislative Procedure.

January 22, 1998, amended, reported favorably; reassigned to Committee on Governmental and Regulatory Affairs.

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SB 474—LS 7221/DI 13



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January 23, 1998

Second Regular Session 110th General Assembly (1998)

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 1997 General Assembly.

## SENATE BILL No. 474

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 35-46-1-11.3, AS ADDED BY P.L.256-1996,  
2 SECTION 12, IS AMENDED TO READ AS FOLLOWS[EFFECTIVE  
3 JULY 1, 1998]: Sec. 11.3. (a) This section does not apply to  
4 advertisements posted:  
5 (1) ~~at street level on the exterior of a business establishment~~  
6 ~~where tobacco products are manufactured, distributed, or sold; or~~  
7 ~~(2) on vehicles.~~  
8 (b) After December 31, ~~1996~~, **1998**, a person may not advertise or  
9 cause to be advertised tobacco products ~~on a billboard located~~ within  
10 ~~two hundred (200)~~ **one thousand (1,000)** feet of **the following**:  
11 (1) ~~a~~ **A** public or private elementary or secondary school, as  
12 measured between the nearest point of:  
13 (A) ~~the billboard advertisement; and the nearest point of~~  
14 (B) a building used by the school for instructional purposes.  
15 (2) **A day care center licensed under IC 12-17.2.**  
16 (3) **A park or playground controlled by a political subdivision**  
17 **(as defined in IC 6-1.1-1-12).**

SB 474—LS 7221/DI 13



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1 (c) A person who violates this section commits a Class C  
2 misdemeanor.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill 474, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

"A BILL FOR AN ACT to amend the Indiana Code concerning criminal law."

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Governmental and Regulatory Affairs.

(Reference is to Senate Bill 474 as introduced.)

GARTON, Chairperson

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