

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Bill No. 273, 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:

- 1 Page 2, line 26, delete "commission." and insert "**commission,**
2 **regardless of whether the location qualifies as a regulated place of**
3 **amusement or entertainment.**".
- 4 Page 2, line 32, after "platforms," insert "**overhead assemblies,**".
- 5 Page 5, between lines 6 and 7, begin a new paragraph and insert:
6 "SECTION 10. IC 22-14-3-3, AS AMENDED BY P.L.1-2006,
7 SECTION 374, IS AMENDED TO READ AS FOLLOWS
8 [EFFECTIVE UPON PASSAGE]: Sec. 3. To qualify for an amusement
9 and entertainment permit, an applicant must:
- 10 (1) submit an application sworn or affirmed under penalties of
11 perjury on forms provided by the division upon request;
- 12 (2) provide:
- 13 (A) the applicant's full name and address;
- 14 (B) the full name and address of each of the applicant's
15 partners (if the applicant is a partnership), members or
16 managers, if any (if the applicant is a limited liability
17 company), and principal officers (if the applicant is a
18 corporation);
- 19 (C) an indication of whether the applicant is an owner, lessee,
20 occupant, or agent for the place covered by the application;
- 21 (D) a description of the place covered by the application,

- 1 including a description of every building and room covered by
 2 the application; and
 3 (E) any information required under the commission's rules;
 4 (3) demonstrate through an inspection that the place covered by
 5 the application complies with applicable fire safety laws; ~~and~~
 6 (4) pay the fee set under IC 22-12-6-7; **and**
 7 **(5) after June 30, 2012, comply with IC 22-15-8, if an outdoor**
 8 **performance will be conducted with outdoor stage equipment**
 9 **at the place covered by the application.**

10 SECTION 11. IC 22-14-3-4, AS AMENDED BY P.L.1-2006,
 11 SECTION 375, IS AMENDED TO READ AS FOLLOWS
 12 [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The division may modify
 13 an amusement and entertainment permit with a special event
 14 endorsement that covers one (1) or more events not specified in the
 15 initial permit.

- 16 (b) To qualify for a special event endorsement, an applicant must:
 17 (1) provide the information required by the commission;
 18 (2) demonstrate through an inspection that the special events
 19 covered by the application will be conducted in compliance with
 20 applicable fire safety laws; ~~and~~
 21 (3) pay the inspection fee set under IC 22-12-6-7; **and**
 22 **(4) after June 30, 2012, comply with IC 22-15-8, if the special**
 23 **event is an outdoor performance that will be conducted with**
 24 **outdoor stage equipment at the place covered by the**
 25 **application."**

26 Page 6, line 6, delete "and".

27 Page 6, line 9, after "engineer" insert "**(if section 3 of this chapter**
 28 **applies) or another qualified person, as determined under the**
 29 **commission's rules (if section 3 of this chapter does not apply)".**

30 Page 6, line 12, delete "division." and insert "**division;**
 31 **(G) states that the outdoor stage equipment will be**
 32 **operated, maintained, and inspected in conformity with**
 33 **applicable equipment laws after the outdoor stage**
 34 **equipment is installed; and**
 35 **(H) states that an outdoor performance will not be**
 36 **conducted with outdoor stage equipment under weather or**
 37 **other conditions that exceed the limitations specified in**
 38 **applicable equipment laws and in the permit issued for the**
 39 **outdoor stage equipment."**

40 Page 7, delete lines 4 through 15, begin a new paragraph and insert:
 41 "**Sec. 8. (a) To assure the safety of the public and persons**
 42 **operating or using outdoor stage equipment, the commission shall**

1 **require the person to whom a permit is issued to provide for**
 2 **inspection of the installation, maintenance, and operation of**
 3 **outdoor stage equipment at appropriate intervals by qualified**
 4 **personnel, as determined under the commission's rules to assure**
 5 **compliance with applicable equipment laws and the terms and**
 6 **conditions of a permit issued by the division under this chapter or**
 7 **by an approved unit under IC 36-8-2-14. The commission shall**
 8 **require that inspections be conducted in conformity with the**
 9 **standards specified by the commission. The commission may**
 10 **require that verification of inspection be provided to the division**
 11 **in the form and under the conditions specified in the commission's**
 12 **rules.**

13 **(b) An inspector for the division shall be allowed entry and**
 14 **access to every place where outdoor stage equipment is installed**
 15 **(including outdoor stage equipment installed under a permit issued**
 16 **by a county, city, or town under a regulatory program approved**
 17 **by the commission) to determine compliance with applicable**
 18 **equipment laws."**

19 Page 9, line 9, delete "IC 22-12-1-17.5." and insert
 20 "IC 22-12-1-17.7".

21 Renumber all SECTIONS consecutively.
 (Reference is to SB 273 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 5, Nays 2.

Senator Wyss, Chairperson