

Proposed Rule
LSA Document #19-169

DIGEST

Adds [80 IAC 11-4](#) to prohibit certain activities at the fairgrounds and to provide for enforcement, including eviction and exclusion. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[80 IAC 11-4](#)

SECTION 1. [80 IAC 11-4](#) IS ADDED TO READ AS FOLLOWS:

Rule 4. Prohibited Activities and Enforcement

[80 IAC 11-4-1](#) Additional prohibited activities

Authority: [IC 15-13-2-9](#)

Affected: [IC 15-13-2](#); [IC 35-45-1](#); [IC 35-45-4](#)

Sec. 1. In addition to the activities regulated at [80 IAC 11-2](#) and [80 IAC 11-3](#), the following are prohibited at the fairgrounds:

- (1) Theft or malicious damage to property.
- (2) Unauthorized entry, use, or occupancy of any facility.
- (3) Indecent acts as defined by [IC 35-45-4](#).
- (4) Offenses against public order as defined by [IC 35-45-1](#).
- (5) Any other conduct that violates a federal or state law or a municipal ordinance.
- (6) Possession of a deadly weapon in violation of [80 IAC 11-2-2](#).
- (7) Possession or control over an unauthorized animal prohibited by [80 IAC 11-2-4](#).
- (8) Use of any motorized or nonmotorized personal mobility device designed to transport one (1) person. The following are not subject to this prohibition:
 - (A) Motorized or manually propelled wheelchairs as covered by Title II of the Americans with Disabilities Act (ADA).
 - (B) Other power-driven mobility devices as covered by Title II of the ADA.
 - (C) Electrical personal assistive mobility devices (Segways).
 - (D) Golf carts with commission issued permits during the annual Indiana state fair.

(State Fair Commission; [80 IAC 11-4-1](#))

[80 IAC 11-4-2](#) Ejection from fairgrounds

Authority: [IC 15-13-2-9](#)

Affected: [IC 4-21-5](#); [IC 15-13-2](#); [IC 35-43-2-2](#)

Sec. 2. (a) A commission employee or another authorized representative may require a person to leave the fairgrounds, or may otherwise restrict a person's use of the fairgrounds, for a violation of section 1 of this rule.

(b) An ejection or restriction imposed under subsection (a) is effective immediately and applies for twenty-four (24) hours unless the commission employee or other authorized representative specifies a shorter duration.

(c) Notwithstanding subsection (b), a commission employee or another authorized representative may designate in writing that the ejection or restriction shall remain in effect for not more than one (1) year. The length of ejection shall be at the discretion of the commission employee or another authorized representative. An ejection or restriction under this subsection is subject to administrative review by the

commission under [IC 4-21.5](#).

(d) Any person violating the ejection imposed under this section shall be deemed a trespasser, as defined in [IC 35-43-2-2](#), and subject to criminal prosecution.

(State Fair Commission; [80 IAC 11-4-2](#))

[Notice of Public Hearing](#)

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