

SENATE BILL No. 407

DIGEST OF INTRODUCED BILL

Citations Affected: IC 10-18-1-20; IC 10-18-1-29.

Synopsis: Indiana War Memorials. Provides for the Indiana War Memorials Commission (commission) to adopt rules that allow for the consumption and possession of alcoholic beverages in or on memorial facility property under certain circumstances. Allows the commission to adopt rules concerning: (1) terms and conditions under which a military veteran or a military veteran's spouse may use a memorial facility for funeral purposes; (2) terms and conditions under which an admission fee may be charged for entrance into a memorial facility; (3) terms and conditions under which any solicitation, ticket sales, or commercial activity may occur on the premises or in a memorial facility; (4) terms and conditions under which the commission may accept gifts and loans of artifacts or historic property; and (5) a policy concerning skateboarding on the premises of a memorial facility. Allows the commission to adopt emergency rules to comply with this provision. Voids an administrative rule prohibiting admission fees.

Effective: July 1, 2015.

Merritt

January 12, 2015, read first time and referred to Committee on Veterans Affairs & The Military.



First Regular Session 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 407

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

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

- 1 SECTION 1. IC 10-18-1-20 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 20. **(a) As used in this**
3 **section, "memorial facility" refers to any structures, or any parts**
4 **of structures, under the commission's care and control.**
5 **(b) The commission shall adopt rules for the government of the**
6 **monument and Monument Circle. The rules are binding and effective**
7 **when approved by the governor.**
8 **(c) The commission may adopt rules under IC 4-22-2 that set**
9 **forth the following:**
10 **(1) The terms and conditions during which a person may**
11 **possess or consume an alcoholic beverage in or on the**
12 **premises of a memorial facility. If a rule is adopted under this**
13 **subdivision, a sign that states alcoholic beverages are not**
14 **permitted must be posted in the area where alcoholic**
15 **beverages are not permitted.**
16 **(2) The terms and conditions under which a military veteran**



1 or a military veteran's spouse may use a memorial facility for
2 funeral purposes.

3 **(3) The terms and conditions under which an admission fee**
4 **may be charged for entering a memorial facility. However, a**
5 **person who is on active duty (as defined in IC 25-1-12-2) may**
6 **not be charged an admission fee.**

7 **(4) The terms and conditions under which any solicitation or**
8 **sale of tickets in or on the premises under the commission's**
9 **care and control may be made by a person who contracts to**
10 **use a memorial facility.**

11 **(5) The terms and conditions under which commercial activity**
12 **may occur in or on the premises of a memorial facility.**

13 **(6) The terms and conditions upon which the commission will**
14 **accept gifts or loans of artifacts or historic property.**

15 **(7) A policy concerning skateboarding on the premises of a**
16 **memorial facility.**

17 **(d) The commission may adopt emergency rules in the manner**
18 **provided under IC 4-22-2-37.1 to comply with this section. An**
19 **emergency rule adopted by the commission in the manner provided**
20 **under IC 4-22-2-37.1 expires on the date a rule that supersedes the**
21 **emergency rule is adopted by the commission under IC 4-22-2-24**
22 **through IC 4-22-2-36.**

23 SECTION 2. IC 10-18-1-29 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 29. **Subject to section**
25 **20 of this chapter**, the commission may grant the use for public
26 purposes of any structures or any parts of structures erected by the
27 commission under this chapter without rent or charge or for only a
28 nominal rental:

29 (1) to any organizations of soldiers, sailors, and marines and
30 others as a place for their meeting and headquarters and for the
31 keeping of records, archives, documents, flags, mementos, and
32 relics; and

33 (2) for other public meetings and other public purposes not
34 inconsistent with the purpose of this chapter;

35 for the time and upon the terms and conditions as the commission
36 determines.

37 SECTION 3. [EFFECTIVE JULY 1, 2015] **(a) 920 IAC 1-1-2 is**
38 **void.**

39 **(b) The publisher of the Indiana Administrative Code and**
40 **Indiana Register shall remove this provision from the Indiana**
41 **Administrative Code.**

42 **(c) This SECTION expires July 1, 2016.**

