



Reprinted
January 31, 2023

SENATE BILL No. 77

DIGEST OF SB 77 (Updated January 30, 2023 2:34 pm - DI 106)

Citations Affected: IC 35-31.5; IC 35-47.

Synopsis: Recreational use of throwing stars. Allows a person who is at least 12 years of age to possess a throwing star for recreational purposes on certain business premises if particular requirements are met. Makes the violation of certain throwing star provisions a Class C misdemeanor.

Effective: July 1, 2023.

Brown L, Rogers

January 9, 2023, read first time and referred to Committee on Corrections and Criminal Law.
January 26, 2023, amended, reported favorably — Do Pass.
January 30, 2023, read second time, amended, ordered engrossed.

SB 77—LS 6235/DI 144



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First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

SENATE BILL No. 77

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

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

- 1 SECTION 1. IC 35-31.5-2-41 IS REPEALED [EFFECTIVE JULY
2 1, 2023]. ~~Sec. 41. "Chinese throwing star", for purposes of~~
3 ~~IC 35-47-5-12, has the meaning set forth in IC 35-47-5-12(b).~~
- 4 SECTION 2. IC 35-31.5-2-330.5 IS ADDED TO THE INDIANA
5 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
6 **[EFFECTIVE JULY 1, 2023]: Sec. 330.5. "Throwing star", for**
7 **purposes of IC 35-47-5, has the meaning set forth in**
8 **IC 35-47-5-12(b).**
- 9 SECTION 3. IC 35-47-5-12 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 12. (a) **Except as**
11 **provided in section 12.5 of this chapter, a person who:**
- 12 (1) manufactures;
 - 13 (2) causes to be manufactured;
 - 14 (3) imports into Indiana;
 - 15 (4) keeps for sale;
 - 16 (5) offers or exposes for sale; or
 - 17 (6) gives, lends, or possesses;

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1 a ~~Chinese~~ throwing star commits a Class C misdemeanor.

2 (b) As used in this section, ~~chapter~~, **"Chinese throwing "throwing**
3 **star"** means a throwing-knife, throwing-iron, or other knife-like weapon
4 with blades set at different angles.

5 SECTION 4. IC 35-47-5-12.5 IS ADDED TO THE INDIANA
6 CODE AS A NEW SECTION TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2023]: **Sec. 12.5. (a) The following definitions**
8 **apply throughout this section:**

9 (1) **"Business entity"** means a corporation, limited liability
10 company, partnership, sole proprietorship, or other legal
11 entity.

12 (2) **"Business premises"** means real property owned, leased,
13 rented, or otherwise legally controlled by a business entity.

14 (3) **"Customer"** means a person who is:

15 (A) an adult who is at least eighteen (18) years of age; or

16 (B) a child who:

17 (i) is less than eighteen (18) years of age, but at least
18 twelve (12) years of age; and

19 (ii) has the written permission of the child's parent or
20 guardian to possess and throw a throwing star for
21 recreational purposes on the operator's business
22 premises;

23 who is permitted under subsection (e) to possess a throwing
24 star on the business premises of an operator.

25 (4) **"Operator"** means:

26 (A) the owner of a business entity; or

27 (B) an employee or other person acting on behalf of a
28 business entity;

29 that permits the possession and use of a throwing star under
30 this section.

31 (5) **"Owner"** means a person that holds an ownership interest
32 in a business entity.

33 (b) Notwithstanding section 12 of this chapter:

34 (1) an operator may legally:

35 (A) import into Indiana;

36 (B) possess; or

37 (C) allow a customer to possess; and

38 (2) a customer may legally possess;

39 a throwing star in the manner described by this section.

40 (c) An operator may import a throwing star into Indiana for use
41 on the operator's business premises in accordance with subsection
42 (e).



1 (d) A person may legally possess a throwing star for the purpose
 2 of transporting it to an operator that imports throwing stars in the
 3 manner provided under subsection (c).

4 (e) An operator may permit a customer to possess and throw a
 5 throwing star for recreational purposes on the operator's business
 6 premises if all of the following requirements are met:

7 (1) The operator must set aside a separate area within the
 8 business premises for the possession and use of throwing
 9 stars.

10 (2) The separate area under subdivision (1) must contain one
 11 (1) or more throwing lanes.

12 (3) Each throwing lane must:

13 (A) be separated from other throwing lanes by walls or
 14 fences that are:

15 (i) at least eight (8) feet tall; and

16 (ii) constructed in a manner to prevent a throwing star
 17 from entering an area outside the throwing lane;

18 (B) be at least fifteen (15) feet in length; and

19 (C) contain a target at the end of the throwing lane.

20 (4) The operator may allow spectators or other customers to
 21 observe the use of throwing stars. However, the operator must
 22 ensure that each throwing lane is constructed in a manner to
 23 prevent a throwing star from entering an area where
 24 spectators or other customers are:

25 (A) allowed to observe the use of throwing stars; or

26 (B) otherwise present.

27 (5) The operator must ensure that a person who is:

28 (A) employed by the operator's business entity; and

29 (B) responsible for the safety of the customers, spectators,
 30 and other guests of the operator;

31 is present at the business premises at all times when a
 32 customer is permitted to possess a throwing star under this
 33 section.

34 (6) The operator must maintain adequate liability insurance.

35 (f) Subsection (e) may not be construed to prohibit an operator
 36 from possessing, but not throwing, a throwing star:

37 (1) outside of a throwing lane;

38 (2) on the business premises of the operator; and

39 (3) for the purpose of safely transporting a throwing star to a
 40 throwing lane.

41 (g) This section may not be construed to allow a customer to
 42 possess a throwing star in a place outside of the business premises



1 **of the operator.**
2 **(h) A person who knowingly or intentionally violates this section**
3 **commits a Class C misdemeanor.**



COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill No. 77, 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:

Page 2, line 10, after "partnership," insert **"sole proprietorship,"**.

Page 3, line 20, delete "trained in the possession and use of throwing stars;" and insert **"responsible for the safety of the customers, spectators, and other guests of the operator;"**.

Page 3, line 34, delete "An operator" and insert **"A person"**.

Page 3, delete lines 36 through 37.

and when so amended that said bill do pass.

(Reference is to SB 77 as introduced.)

FREEMAN, Chairperson

Committee Vote: Yeas 8, Nays 0.

 SENATE MOTION

Madam President: I move that Senate Bill 77 be amended to read as follows:

Page 2, delete lines 14 through 16, begin a new line block indented and insert:

"(3) "Customer" means a person who is:

(A) an adult who is at least eighteen (18) years of age; or

(B) a child who:

(i) is less than eighteen (18) years of age, but at least twelve (12) years of age; and

(ii) has the written permission of the child's parent or guardian to possess and throw a throwing star for recreational purposes on the operator's business premises;

who is permitted under subsection (e) to possess a throwing star on the business premises of an operator."

(Reference is to SB 77 as printed January 27, 2023.)

BROWN L

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