

SENATE BILL No. 341

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-31.5-2; IC 35-47-5.

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, 2022.

Rogers

January 11, 2022, read first time and referred to Committee on Corrections and Criminal Law.



Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

SENATE BILL No. 341

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 IC 35-31.5-2-41 IS REPEALED [EFFECTIVE JULY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, 2022]. ~~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: **Sec. 330.5.**
- 6 **"Throwing star", for purposes of IC 35-47-5, has the meaning set**
- 7 **forth in IC 35-47-5-12(b).**
- 8 SECTION 3. IC 35-47-5-12 IS AMENDED TO READ AS
- 9 FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 12. (a) **Except as**
- 10 **provided in section 12.5 of this chapter**, a person who:
- 11 (1) manufactures;
- 12 (2) causes to be manufactured;
- 13 (3) imports into Indiana;
- 14 (4) keeps for sale;
- 15 (5) offers or exposes for sale; or
- 16 (6) gives, lends, or possesses;
- 17 a ~~Chinese~~ throwing star commits a Class C misdemeanor.



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

4 SECTION 4. IC 35-47-5-12.5 IS ADDED TO THE INDIANA
 5 CODE AS A NEW SECTION TO READ AS FOLLOWS
 6 [EFFECTIVE JULY 1, 2022]: **Sec. 12.5. (a) The following definitions**
 7 **apply throughout this section:**

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

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

12 (3) **"Customer"** means a person who is at least twelve (12)
 13 years of age who is permitted under subsection (e) to possess
 14 a throwing star on the business premises of an operator.

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

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

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

19 that permits the possession and use of a throwing star under
 20 this section.

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

23 (b) **Notwithstanding section 12 of this chapter:**

24 (1) an operator may legally:

25 (A) import into Indiana;

26 (B) possess; or

27 (C) allow a customer to possess; and

28 (2) a customer may legally possess;

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

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

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

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

39 (1) The operator must set aside a separate area within the
 40 business premises for the possession and use of throwing
 41 stars.

42 (2) The separate area under subdivision (1) must contain one



- 1 (1) or more throwing lanes.
 2 (3) Each throwing lane must:
 3 (A) be separated from other throwing lanes by walls or
 4 fences that are:
 5 (i) at least eight (8) feet tall; and
 6 (ii) constructed in a manner to prevent a throwing star
 7 from entering an area outside the throwing lane;
 8 (B) be at least fifteen (15) feet in length; and
 9 (C) contain a target at the end of the throwing lane.
 10 (4) The operator may allow spectators or other customers to
 11 observe the use of throwing stars. However, the operator must
 12 ensure that each throwing lane is constructed in a manner to
 13 prevent a throwing star from entering an area where
 14 spectators or other customers are:
 15 (A) allowed to observe the use of throwing stars; or
 16 (B) otherwise present.
 17 (5) The operator must ensure that a person who is:
 18 (A) employed by the operator's business entity; and
 19 (B) trained in the possession and use of throwing stars;
 20 is present at the business premises at all times when a
 21 customer is permitted to possess a throwing star under this
 22 section.
 23 (6) The operator must maintain adequate liability insurance.
 24 (f) Subsection (e) may not be construed to prohibit an operator
 25 from possessing, but not throwing, a throwing star:
 26 (1) outside of a throwing lane;
 27 (2) on the business premises of the operator; and
 28 (3) for the purpose of safely transporting a throwing star to a
 29 throwing lane.
 30 (g) This section may not be construed to allow a customer to
 31 possess a throwing star in a place outside of the business premises
 32 of the operator.
 33 (h) An operator who knowingly or intentionally violates this
 34 section commits a Class C misdemeanor.
 35 (i) A person who knowingly or intentionally violates this section
 36 commits a Class C misdemeanor.

