

February 13, 1998

**ENGROSSED
HOUSE BILL No. 1201**

DIGEST OF HB1201 (Updated February 12, 1998 9:01 am - DI 76)

Citations Affected: IC 35-44-3-3.

Synopsis: Penalty for fleeing officer in vehicle. Increases the penalty for using a vehicle to flee a law enforcement officer from a Class A misdemeanor to a Class D felony.

Effective: July 1, 1998.

**Alderman, Crosby, Tincher,
Gulling, Stevenson**

(SENATE SPONSOR — MEEKS)

January 8, 1998, read first time and referred to Committee on Courts and Criminal Code.
January 21, 1998, reported — Do Pass.
January 26, 1998, read second time, ordered engrossed. Engrossed.
January 27, 1998, read third time, passed. Yeas 98, nays 0.

SENATE ACTION

January 30, 1998, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.
February 12, 1998, reported favorably — Do Pass.

EH 1201—LS 7094/DI 51+



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February 13, 1998

Second Regular Session 110th General Assembly (1998)

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 *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

ENGROSSED HOUSE BILL No. 1201

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 35-44-3-3 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 3. (a) A person who
3 knowingly or intentionally:
4 (1) forcibly resists, obstructs, or interferes with a law enforcement
5 officer or a person assisting the officer while the officer is
6 lawfully engaged in the execution of his duties as an officer;
7 (2) forcibly resists, obstructs, or interferes with the authorized
8 service or execution of a civil or criminal process or order of a
9 court; or
10 (3) flees from a law enforcement officer after the officer has, by
11 visible or audible means, identified himself and ordered the
12 person to stop;
13 commits resisting law enforcement, a Class A misdemeanor, except as
14 provided in subsection (b).
15 (b) The offense under subsection (a) is a:
16 (1) Class D felony if:

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1 **(A) the offense is described in subsection (a)(3) and the**
 2 **person uses a vehicle to commit the offense; or**
 3 **(B) while committing it; any offense described in subsection**
 4 **(a), the person draws or uses a deadly weapon, inflicts bodily**
 5 **injury on another person, or operates a vehicle in a manner**
 6 **that creates a substantial risk of bodily injury to another**
 7 **person;**
 8 (2) Class C felony if, while committing ~~it~~; **any offense described**
 9 **in subsection (a), the person operates a vehicle in a manner that**
 10 **causes serious bodily injury to another person; and**
 11 (3) Class B felony if, while committing ~~it~~; **any offense described**
 12 **in subsection (a), the person operates a vehicle in a manner that**
 13 **causes the death of another person.**
 14 (c) For purposes of this section, a law enforcement officer includes
 15 an alcoholic beverage enforcement officer and a conservation officer
 16 of the department of natural resources.
 17 SECTION 2. [EFFECTIVE JULY 1, 1998] **IC 35-44-3-3, as**
 18 **amended by this act, applies only to offenses committed after June**
 19 **30, 1998.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1201, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

DVORAK, Chair

Committee Vote: yeas 9, nays 1.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Corrections, Criminal and Civil Procedures, to which was referred House Bill 1201, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1201 as printed January 22, 1998.)

MEEKS, Chairperson

Committee Vote: Yeas 5, Nays 4.

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