

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1353 be amended to read as follows:

- 1 Page 1, line 13, delete "program" and insert "**program's**
2 **residential facility or electronic monitoring**".
3 Page 2, after line 3, begin a new paragraph and insert:
4 SECTION 2. IC 35-44-3-5 IS AMENDED TO READ AS
5 FOLLOWS: Sec. 5. (a) A person , **except as provided in subsection**
6 **(b)**, who intentionally flees from lawful detention commits escape, a
7 Class C felony. However, the offense is a Class B felony if, while
8 committing it, the person draws or uses a deadly weapon or inflicts
9 bodily injury on another person.
10 **(b) A person who knowingly or intentionally violates a home**
11 **detention order and intentionally removes an electronic monitoring**
12 **device commits escape, a Class D felony.**
13 ~~(b)~~ (c) A person who knowingly or intentionally fails to return to
14 lawful detention following temporary leave granted for a specified
15 purpose or limited period commits failure to return to lawful detention,
16 a Class D felony. However, the offense is a Class C felony if, while
17 committing it, the person draws or uses a deadly weapon or inflicts
18 bodily injury on another person.

(Reference is to HB 1353 as printed January 27, 1998.)

Representative STEELE