

January 27, 1998

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## HOUSE BILL No. 1353

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DIGEST OF HB1353 (Updated January 22, 1998 1:44 pm - DI 51)

**Citations Affected:** IC 35-41-1-18.

**Synopsis:** Lawful detention and community corrections. Provides that for purposes of criminal law and procedure, lawful detention includes placement in a community corrections program.

**Effective:** July 1, 1998.

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**Crooks, Foley**

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January 13, 1998, read first time and referred to Committee on Courts and Criminal Code.  
January 26, 1998, reported — Do Pass.

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HB 1353—LS 7245/DI 69



January 27, 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 a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

## HOUSE BILL No. 1353

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 35-41-1-18 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 18. **(a)** "Lawful  
3 detention" means:  
4 **(1)** arrest;  
5 **(2)** custody following surrender in lieu of arrest;  
6 **(3)** detention in a penal facility;  
7 **(4)** detention in a facility for custody of persons alleged or found  
8 to be delinquent children;  
9 **(5)** detention under a law authorizing civil commitment in lieu of  
10 criminal proceedings or authorizing such detention while criminal  
11 proceedings are held in abeyance;  
12 **(6)** detention for extradition or deportation; ~~or~~  
13 **(7) placement in a community corrections program;**  
14 **(8)** custody for purposes incident to any of the above including  
15 transportation, medical diagnosis or treatment, court appearances,  
16 work, or recreation; or  
17 **(9)** any other detention for law enforcement purposes. ~~but it~~

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1           **(b) Except as provided in subsection (a)(7), the term** does not  
2 include supervision of a person on probation or parole or constraint  
3 incidental to release with or without bail.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1353, 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 14, nays 0.

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