

SENATE BILL No. 306

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-41-2-4.

Synopsis: Commanding or requesting an offense. Makes commanding or requesting another person to commit a crime a felony or misdemeanor of the same class as the crime the person commands or requests another person to commit even if: (1) the other person has not been prosecuted for the offense, has not been convicted of the offense, or has been acquitted of the offense; or (2) the other person does not commit the offense. Makes the offense a Class A felony if the offense commanded or requested is murder. (Current law provides that a person who aids, induces, or causes another person to commit an offense commits that offense even if the other person has not been prosecuted for the offense, has not been convicted of the offense, or has been acquitted of the offense.)

Effective: July 1, 1998.

Wyss, Alexa, Ford

January 8, 1998, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.

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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.

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SENATE BILL No. 306



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 35-41-2-4 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 4. **(a) Except as**
- 3 **provided in subsection (b)**, a person who knowingly or intentionally
- 4 **commands, requests, aids, induces, or causes another person to**
- 5 **commit an offense commits ~~that a felony or misdemeanor of the~~**
- 6 **same class as the offense ~~commanded, requested, aided, induced, or~~**
- 7 **caused**, even if the other person:
 - 8 (1) has not been prosecuted for the offense;
 - 9 (2) has not been convicted of the offense; ~~or~~
 - 10 (3) has been acquitted of the offense; **or**
 - 11 **(4) does not commit the offense.**
- 12 **(b) A person who knowingly or intentionally commands,**
- 13 **requests, aids, induces, or causes another person to commit murder**
- 14 **commits a Class A felony, even if the other person:**
 - 15 **(1) has not been prosecuted for the murder;**
 - 16 **(2) has not been convicted of the murder;**
 - 17 **(3) has been acquitted of the murder; or**



1 **(4) does not commit the murder.**
2 SECTION 2. [EFFECTIVE JULY 1, 1998] IC 35-41-2-4, as
3 **amended by this act, applies to crimes committed after June 30,**
4 **1998.**

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