

HOUSE BILL No. 1204

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-30-5-1.

Synopsis: Operating a vehicle while intoxicated. Increases the penalty for operating a vehicle with alcohol or a controlled substance in the operator's body from a Class C to a Class B misdemeanor.

Effective: July 1, 1998.

Ripley

January 8, 1998, read first time and referred to Committee on Courts and Criminal Code.

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Introduced

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. 1204

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 9-30-5-1, AS AMENDED BY P.L.33-1997,
2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 1998]: Sec. 1. (a) A person who operates a vehicle with at
4 least ten-hundredths percent (0.10%) of alcohol by weight in grams in:
5 (1) one hundred (100) milliliters of the person's blood; or
6 (2) two hundred ten (210) liters of the person's breath;
7 commits a ~~Class C~~ **Class B** misdemeanor.
8 (b) A person who operates a vehicle with a controlled substance
9 listed in schedule I or II of IC 35-48-2 or its metabolite in the person's
10 body commits a ~~Class C~~ **Class B** misdemeanor.
11 (c) It is a defense to subsection (b) that the accused person
12 consumed the controlled substance under a valid prescription or order
13 of a practitioner (as defined in IC 35-48-1) who acted in the course of
14 the practitioner's professional practice.
15 SECTION 2. [EFFECTIVE JULY 1, 1998] **IC 9-30-5-1, as**
16 **amended by this act, applies only to offenses committed after June**
17 **30, 1998. A person convicted of an offense under IC 9-30-5-1 before**

1998

IN 1204—LS 6747/DI 51+



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1 **July 1, 1998, shall be sentenced under IC 9-30-5-1 as it existed at**
2 **the time that the offense was committed.**

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