

SENATE MOTION

MR. PRESIDENT:

I move that Senate Bill 355 be amended to read as follows:

1 Page 10, between lines 36 and 37, begin a new paragraph and
2 insert:
3 SECTION 9. IC 35-48-4-13 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 13. (a) A person who
5 knowingly or intentionally visits a building, structure, vehicle, or other
6 place that is used by any person to unlawfully use a controlled
7 substance commits visiting a common nuisance, a Class B
8 misdemeanor.
9 (b) A person who knowingly or intentionally maintains a building,
10 structure, vehicle, or other place that is used **one (1) or more times:**
11 (1) by persons to unlawfully use controlled substances; or
12 (2) for unlawfully:
13 (A) keeping;
14 (B) offering for sale;
15 (C) selling;
16 (D) delivering; or
17 (E) financing the delivery of;
18 controlled substances, or items of drug paraphernalia as
19 described in IC 35-48-4-8.5;
20 commits maintaining a common nuisance, a Class D felony."
21 Page 11, after line 9, begin a new paragraph and insert the
22 following:
23 SECTION 11. [EFFECTIVE JULY 1, 1998] (a) **IC 35-48-4-13, as**
24 **amended by this act, applies only to offenses committed after June**
25 **30, 1998.**
26 (b) **An offense committed under IC 35-48-4-13 before July 1,**
27 **1998, may be prosecuted and remains punishable as provided in**
28 **IC 35-48-4-13, as effective before July 1, 1998."**
29 Renumber all SECTIONS consecutively.
 (Reference is to SB 355 as printed January 30, 1998.)

Senator WHEELER