

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 73, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

- Delete the title and insert the following:
- A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- Delete everything after the enacting clause and insert the following:
- SECTION 1. IC 35-48-4-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 13. (a) A person who knowingly or intentionally visits a building, structure, vehicle, or other place that is used by any person to unlawfully use a controlled substance commits visiting a common nuisance, a Class B misdemeanor.
- (b) A person who knowingly or intentionally maintains a building, structure, vehicle, or other place that is used **one (1) or more times:**
 - (1) by persons to unlawfully use controlled substances; or
 - (2) for unlawfully:
 - (A) keeping;
 - (B) offering for sale;
 - (C) selling;
 - (D) delivering; or
 - (E) financing the delivery of;
- controlled substances, or items of drug paraphernalia as described in IC 35-48-4-8.5;
- commits maintaining a common nuisance, a Class D felony.
- SECTION 2. [EFFECTIVE JULY 1, 1998] (a) **IC 35-48-4-13, as amended by this act, applies only to offenses committed after June 30, 1998.**
- (b) **An offense committed under IC 35-48-4-13 before July 1, 1998, may be prosecuted and remains punishable as provided in IC 35-48-4-13, as effective before July 1, 1998.**
- (Reference is to SB 73 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Corrections, Criminal, and Civil Procedures.

