



April 6, 1999

**ENGROSSED
HOUSE BILL No. 1253**

DIGEST OF HB 1253 (Updated April 5, 1999 10:52 am - DI 76)

Citations Affected: IC 35-43.

Synopsis: Arson and burglary involving religious structures. Makes it a crime of arson, a Class B felony, for a person to, by means of fire or explosive, knowingly or intentionally damage a structure used for religious worship without the consent of the owner of the structure. Makes it a crime of burglary, a Class B felony, for a person to break and enter a structure used for religious worship with intent to commit a felony in the structure.

Effective: July 1, 1999.

**Adams T, Frenz, Porter, Ayres,
Saunders**

(SENATE SPONSORS — CRAYCRAFT, MEEKS R)

January 11, 1999, read first time and referred to Committee on Courts and Criminal Code.
March 1, 1999, reported — Do Pass.
March 4, 1999, read second time, amended, ordered engrossed.
March 5, 1999, engrossed.
March 8, 1999, read third time, passed. Yeas 93, nays 0.

SENATE ACTION

March 11, 1999, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.
April 5, 1999, amended, reported favorably — Do Pass.

EH 1253—LS 7415/DI 69+



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April 6, 1999

First Regular Session 111th General Assembly (1999)

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 1998 General Assembly.

ENGROSSED HOUSE BILL No. 1253



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 35-43-1-1 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. (a) A person who, by
 3 means of fire or explosive, knowingly or intentionally damages:
 4 (1) a dwelling of another person without **his the other person's**
 5 consent;
 6 (2) property of any person under circumstances that endanger
 7 human life; **or**
 8 (3) property of another person without **his the other person's**
 9 consent if the pecuniary loss is at least five thousand dollars
 10 (\$5,000); **or**
 11 **(4) a structure used for religious worship without the consent**
 12 **of the owner of the structure;**
 13 commits arson, a Class B felony. However, the offense is a Class A
 14 felony if it results in either bodily injury or serious bodily injury to any
 15 person other than a defendant.
 16 (b) A person who commits arson for hire commits a Class B felony.
 17 However, the offense is a Class A felony if it results in bodily injury to

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EH 1253—LS 7415/DI 69+



1 any other person.

2 (c) A person who, by means of fire or explosive, knowingly or
3 intentionally damages property of any person with intent to defraud
4 commits arson, a Class C felony.

5 (d) A person who, by means of fire or explosive, knowingly or
6 intentionally damages property of another person without ~~his~~ **the other**
7 **person's** consent so that the resulting pecuniary loss is at least two
8 hundred fifty dollars (\$250) but less than five thousand dollars (\$5,000)
9 commits arson, a Class D felony.

10 SECTION 2. IC 35-43-2-1 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. A person who breaks
12 and enters the building or structure of another person, with intent to
13 commit a felony in it, commits burglary, a Class C felony. However,
14 the offense is:

- 15 (1) a Class B felony if:
16 (A) it is committed while armed with a deadly weapon; or if
17 (B) the building or structure is a:
18 (i) dwelling; or
19 (ii) **structure used for religious worship**; and
20 (2) a Class A felony if it results in: **either**
21 (A) bodily injury; or
22 (B) serious bodily injury;
23 to any person other than a defendant.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1253, 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 10, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1253 be amended to read as follows:

Page 1, line 12, after "structure" insert "**if the resulting pecuniary loss is at least two hundred fifty dollars (\$250)**".

Page 2, line 19, after "worship" insert "**and the resulting pecuniary loss is at least two hundred fifty dollars (\$250)**".

(Reference is to HB 1253 as printed March 2, 1999).

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SENATE MOTION

Mr. President: I move that Senator Meeks R be added as a second sponsor of Engrossed House Bill 1253.

CRAYCRAFT

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COMMITTEE REPORT

Mr. President: The Senate Committee on Corrections, Criminal and Civil Procedures, to which was referred House Bill No. 1253, 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:

Page 1, line 12, delete "if the resulting pecuniary loss is" and insert ";

Page 1, delete line 13.

Page 2, line 20, delete "and the resulting" and insert ";

Page 2, delete line 21.

Page 2, line 22, delete "(\$250);".

and when so amended that said bill do pass.

(Reference is to HB 1253 as reprinted March 5, 1999.)

MEEKS R, Chairperson

Committee Vote: Yeas 6, Nays 0.

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