



April 6, 1999

**ENGROSSED
HOUSE BILL No. 1563**

DIGEST OF HB 1563 (Updated April 5, 1999 10:44 am - DI 76)

Citations Affected: IC 35-43; IC 35-45.

Synopsis: Commercial bribery. Establishes the crime of commercial bribery, a Class A misdemeanor. Provides, however, that the offense is a Class D felony if the fair market value of the property that is the subject of the commercial bribery exceeds \$2,500.

Effective: July 1, 1999.

Ulmer, Dvorak
(SENATE SPONSOR — RIEGSECKER)

January 21, 1999, read first time and referred to Committee on Courts and Criminal Code.
February 2, 1999, reported — Do Pass.
February 8, 1999, read second time, ordered engrossed.
February 9, 1999, engrossed.
February 10, 1999, read third time, passed. Yeas 86, nays 10.
SENATE ACTION
February 22, 1999, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.
April 5, 1999, amended, reported favorably — Do Pass.

EH 1563—LS 6466/DI 51+



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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. 1563

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 35-43-5-13 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 1999]: **Sec. 1. A person who:**
4 (1) **solicits, accepts, or agrees to accept property with intent**
5 **to violate a duty of fidelity to which the person is subject as:**
6 (A) **partner, agent, or employee of another;**
7 (B) **trustee, guardian, or other fiduciary;**
8 (C) **attorney, physician, accountant, appraiser, or other**
9 **professional adviser or informant;**
10 (D) **officer, director, manager, or other participant in the**
11 **direction of the affairs of an incorporated or**
12 **unincorporated association; or**
13 (E) **arbitrator or other purportedly disinterested**
14 **adjudicator or referee;**
15 (2) **represents to the public that the person is engaged in the**
16 **business of making disinterested selection, appraisal, or**

EH 1563—LS 6466/DI 51+



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1 **criticism of commodities or services and solicits, accepts, or**
2 **agrees to accept property to influence the person's selection,**
3 **appraisal, or criticism; or**
4 **(3) confers, offers to confer, or agrees to confer property, the**
5 **acceptance of which violates subdivision (1) or (2);**
6 **commits commercial bribery, a Class A misdemeanor. However,**
7 **the offense is a Class D felony if the fair market value of the**
 property exceeds two thousand five hundred dollars (\$2,500).

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1563, 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 1.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Corrections, Criminal and Civil Procedures, to which was referred House Bill No. 1563, 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 5, delete "special trust" and insert "**duty of fidelity**".

Page 2, line 5, delete "Class D felony" and insert "**Class A misdemeanor. However, the offense is a Class D felony if the fair market value of the property exceeds two thousand five hundred dollars (\$2,500).**".

Page 2, delete lines 6 through 42.

Delete page 3.

and when so amended that said bill do pass.

(Reference is to HB 1563 as printed February 3, 1999.)

MEEKS R, Chairperson

Committee Vote: Yeas 9, Nays 0.

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