



February 16, 1999

# HOUSE BILL No. 1175

DIGEST OF HB1175 (Updated February 11, 1999 12:46 pm - DI 76)

**Citations Affected:** IC 12-23.

**Synopsis:** Conditional deferment of judicial proceedings. Allows a court to take judicial notice of the fact that proper early intervention, medical, advisory, or rehabilitative treatment of a defendant is likely to decrease the defendant's tendency to engage in antisocial behavior in a criminal proceeding for a Class D felony in which: (1) the use or abuse of alcohol, drugs, or harmful substances is a contributing factor or a material element of the offense; or (2) the defendant's mental illness, other than substance abuse, is a contributing factor.

**Effective:** July 1, 1999.

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## Mahern, Cherry

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January 6, 1999, read first time and referred to Committee on Courts and Criminal Code.  
February 15, 1999, reported — Do Pass.

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HB 1175—LS 7009/DI 69+



February 16, 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.

## HOUSE BILL No. 1175

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A BILL FOR AN ACT to amend the Indiana Code concerning human services.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 12-23-5-1 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. In a criminal  
3 proceeding for a **Class D felony**, a misdemeanor, or **an** infraction in  
4 which:  
5 (1) the use or abuse of alcohol, drugs, or harmful substances is a  
6 contributing factor or a material element of the offense; or  
7 (2) the defendant's mental illness, other than substance abuse, is  
8 a contributing factor;  
9 the court may take judicial notice of the fact that proper early  
10 intervention, medical, advisory, or rehabilitative treatment of the  
11 defendant is likely to decrease the defendant's tendency to engage in  
12 antisocial behavior.

HB 1175—LS 7009/DI 69+



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COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1175, 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 12, nays 0.

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