



Reprinted  
March 5, 1999

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## HOUSE BILL No. 1253

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DIGEST OF HB 1253 (Updated March 4, 1999 2:40 pm - 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: (1) without the consent of the owner of the structure; and (2) if the resulting pecuniary loss is at least two hundred fifty dollars. 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 if the resulting pecuniary loss is at least two hundred fifty dollars.

**Effective:** July 1, 1999.

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

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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.

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HB 1253—LS 7415/DI 69+



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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. 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 if the resulting pecuniary loss is**  
13 **at least two hundred fifty dollars (\$250);**  
14 commits arson, a Class B felony. However, the offense is a Class A  
15 felony if it results in either bodily injury or serious bodily injury to any  
16 person other than a defendant.  
17 (b) A person who commits arson for hire commits a Class B felony.

HB 1253—LS 7415/DI 69+



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- 1 However, the offense is a Class A felony if it results in bodily injury to  
 2 any other person.
- 3 (c) A person who, by means of fire or explosive, knowingly or  
 4 intentionally damages property of any person with intent to defraud  
 5 commits arson, a Class C felony.
- 6 (d) A person who, by means of fire or explosive, knowingly or  
 7 intentionally damages property of another person without ~~his~~ **the other**  
 8 **person's** consent so that the resulting pecuniary loss is at least two  
 9 hundred fifty dollars (\$250) but less than five thousand dollars (\$5,000)  
 10 commits arson, a Class D felony.
- 11 SECTION 2. IC 35-43-2-1 IS AMENDED TO READ AS  
 12 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. A person who breaks  
 13 and enters the building or structure of another person, with intent to  
 14 commit a felony in it, commits burglary, a Class C felony. However,  
 15 the offense is:
- 16 (1) a Class B felony if:
- 17 (A) it is committed while armed with a deadly weapon; or if
- 18 (B) the building or structure is a:
- 19 (i) dwelling; or
- 20 (ii) **structure used for religious worship and the resulting**  
 21 **pecuniary loss is at least two hundred fifty dollars**  
 22 **(\$250); and**
- 23 (2) a Class A felony if it results in: ~~either~~
- 24 (A) bodily injury; or
- 25 (B) serious bodily injury;
- 26 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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