

SENATE BILL No. 87

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-44-3-9.

Synopsis: Trafficking with an inmate. Provides that the crime of trafficking with an inmate applies to a juvenile facility.

Effective: July 1, 1999.

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January 6, 1999, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.

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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.

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SENATE BILL No. 87



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 35-44-3-9 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 9. (a) **As used in this**
- 3 **section, "juvenile facility" means the following:**
- 4 (1) **A secure facility (as defined in IC 31-9-2-114) in which a**
- 5 **child is detained under IC 31 or used for a child awaiting**
- 6 **adjudication or adjudicated under IC 31 as a child in need of**
- 7 **services or a delinquent child.**
- 8 (2) **A shelter care facility (as defined in IC 31-9-2-117) in**
- 9 **which a child is detained under IC 31 or used for a child**
- 10 **awaiting adjudication or adjudicated under IC 31 as a child**
- 11 **in need of services or a delinquent child.**
- 12 (b) A person who, without the prior authorization of the person in
- 13 charge of a penal facility **or juvenile facility** knowingly or
- 14 intentionally:
- 15 (1) delivers, or carries into the penal facility **or juvenile facility**
- 16 with intent to deliver, an article to an inmate **or child** of the
- 17 facility; or



1 (2) carries, or receives with intent to carry out of the penal facility
2 **or juvenile facility**, an article from an inmate **or child** of the
3 facility;
4 commits trafficking with an inmate, a Class A misdemeanor. However,
5 the offense is a Class C felony if the article is a controlled substance or
6 a deadly weapon.

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