

HOUSE BILL No. 1162

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-5-7-8; IC 35-46-1-8.

Synopsis: Penalties for offenses against minors. Enhances the penalty for selling or furnishing alcoholic beverages to a minor from a Class C misdemeanor to a Class D felony if the offense results in serious bodily injury to or the death of the minor. Enhances the penalty for contributing to the delinquency of a minor from a Class A misdemeanor to a Class D felony if the offense results in serious bodily injury to or the death of the minor.

Effective: July 1, 1999.

Kersey

January 6, 1999, read first time and referred to Committee on Courts and Criminal Code.

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Introduced

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. 1162

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

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

1 SECTION 1. IC 7.1-5-7-8 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. (a) It is a Class C
3 misdemeanor for a person to recklessly sell, barter, exchange, provide,
4 or furnish an alcoholic beverage to a minor. **However, the offense is**
5 **a Class D felony if the offense results in serious bodily injury (as**
6 **defined in IC 35-41-1-25) to or the death of the minor.**

7 (b) This section shall not be construed to impose civil liability upon
8 any educational institution of higher learning, including but not limited to
9 public and private universities and colleges, business schools,
10 vocational schools, and schools for continuing education, or its agents
11 for injury to any person or property sustained in consequence of a
12 violation of this section unless such institution or its agent sells,
13 barter, exchanges, provides, or furnishes an alcoholic beverage to a
14 minor.

15 SECTION 2. IC 35-46-1-8 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. (a) A person
17 eighteen (18) years of age or older who knowingly or intentionally

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1 encourages, aids, induces, or causes a person under eighteen (18) years
2 of age to commit an act of delinquency (as defined by IC 31-37-1 or
3 IC 31-37-2) commits contributing to delinquency, a Class A
4 misdemeanor.

- 5 (b) However, the offense is:
- 6 (1) a Class D felony if the offense results in serious bodily
7 injury (as defined in IC 35-41-1-25) to or the death of the
8 person who is less than eighteen (18) years of age; and
 - 9 (2) a Class C felony if the person knowingly or intentionally
10 encourages, aids, induces, or causes a person less than eighteen
11 (18) years of age to commit an act that would be a felony if
12 committed by an adult under:
 - 13 (†) (A) IC 35-48-4-1;
 - 14 (‡) (B) IC 35-48-4-2;
 - 15 (⊖) (C) IC 35-48-4-3;
 - 16 (⊕) (D) IC 35-48-4-4;
 - 17 (⊗) (E) IC 35-48-4-4.5;
 - 18 (⊘) (F) IC 35-48-4-4.6; or
 - 19 (⊙) (G) IC 35-48-4-5.

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