

HOUSE BILL No. 1225

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-46-1-20.

Synopsis: Domestic violence in the presence of a child. Provides that a person who commits or attempts to commit certain criminal offenses while in the presence of a child who is less than 17 years of age commits domestic violence in the presence of a child as either a Class A misdemeanor or a Class D felony.

Effective: July 1, 1999.

Kuzman, Welch

January 11, 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.

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HOUSE BILL No. 1225

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 35-46-1-20 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 1999]: **Sec. 20. (a) As used in this section, "child" means a person
4 who is less than seventeen (17) years of age.**
5 **(b) A person who commits or attempts to commit the offense of:**
6 **(1) battery as a class A misdemeanor (IC 35-42-2-1(a)(1));**
7 **(2) battery as a Class D felony (IC 35-42-2-1(a)(2));**
8 **(3) stalking (IC 35-45-10-5);**
9 **(4) invasion of privacy (IC 35-46-1-15.1); or**
10 **(5) pointing a firearm (IC 35-47-4-3);**
11 **while in the presence of a child commits domestic violence in the**
12 **presence of a child, a Class A misdemeanor.**
13 **(c) A person who commits or attempts to commit the offense of:**
14 **(1) murder (IC 35-42-1-1);**
15 **(2) voluntary manslaughter (IC 35-42-1-3);**
16 **(3) battery as a Class C felony (IC 35-42-2-1(a)(3));**
17 **(4) aggravated battery (IC 35-42-2-1.5);**



1 **(5) kidnapping (IC 35-42-3-2);**
2 **(6) criminal confinement (IC 35-42-3-3);**
3 **(7) rape (IC 35-42-4-1);**
4 **(8) criminal deviate conduct (IC 35-42-4-2); or**
5 **(9) arson (IC 35-43-1-1);**
6 **while in the presence of a child commits domestic violence in the**
7 **presence of a child, a Class D felony.**

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