

# HOUSE BILL No. 1464

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 7.1-5-1-3; IC 9-30-5-1.

**Synopsis:** Intoxication offenses. Makes it a Class C misdemeanor instead of a Class B misdemeanor for a person to be in a public place or a place of public resort in a state of intoxication. Makes the offense a Class B misdemeanor if the person has a prior unrelated conviction for being in a public place or a place of public resort in a state of intoxication. Makes it a Class B misdemeanor instead of a Class C misdemeanor for a person to operate a vehicle with at least 0.10% of alcohol by weight in grams in: (1) 100 milliliters of the person's blood; or (2) 210 liters of the person's breath. Makes it a Class B misdemeanor instead of a Class C misdemeanor for a person to operate a vehicle with a schedule I or II controlled substance or its metabolite in the person's body.

**Effective:** July 1, 1999.

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**Thompson, Mellinger**

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January 19, 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. 1464

A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages and motor vehicles.

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

1 SECTION 1. IC 7.1-5-1-3 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. ~~Public Intoxication~~  
3 ~~Prohibited~~. It is a ~~Class B misdemeanor~~ **Class C misdemeanor** for a  
4 person to be in a public place or a place of public resort in a state of  
5 intoxication. **However, the offense is a Class B misdemeanor if the**  
6 **person has a prior unrelated conviction under this section.**

7 SECTION 2. IC 9-30-5-1 IS AMENDED TO READ AS FOLLOWS  
8 [EFFECTIVE JULY 1, 1999]: Sec. 1. (a) A person who operates a  
9 vehicle with at least ten-hundredths percent (0.10%) of alcohol by  
10 weight in grams in:

11 (1) one hundred (100) milliliters of the person's blood; or

12 (2) two hundred ten (210) liters of the person's breath;

13 commits a ~~Class E misdemeanor~~. **Class B misdemeanor.**

14 (b) A person who operates a vehicle with a controlled substance  
15 listed in schedule I or II of IC 35-48-2 or its metabolite in the person's  
16 body commits a ~~Class E misdemeanor~~. **Class B misdemeanor.**

17 (c) It is a defense to subsection (b) that the accused person



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1 consumed the controlled substance under a valid prescription or order  
2 of a practitioner (as defined in IC 35-48-1) who acted in the course of  
3 the practitioner's professional practice.

4 SECTION 3. [EFFECTIVE JULY 1, 1999] **IC 7.1-5-1-3 and**  
5 **IC 9-30-5-1, both as amended by this act, apply only to crimes**  
6 **committed after June 30, 1999.**

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