

SENATE MOTION

MR. PRESIDENT:

I move that Engrossed House Bill 1305 be amended to read as follows:

- 1 Page 4, between lines 26 and 27, begin a new paragraph and insert:
- 2 "SECTION 2. IC 35-44-3-9 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 9. (a) **As used in this**
- 4 **section, "juvenile facility" means the following:**
- 5 (1) **A secure facility (as defined in IC 31-9-2-114) in which a**
- 6 **child is detained under IC 31 or used for a child awaiting**
- 7 **adjudication or adjudicated under IC 31 as a child in need of**
- 8 **services or a delinquent child.**
- 9 (2) **A shelter care facility (as defined in IC 31-9-2-117) in**
- 10 **which a child is detained under IC 31 or used for a child**
- 11 **awaiting adjudication or adjudicated under IC 31 as a child**
- 12 **in need of services or a delinquent child.**
- 13 (b) A person who, without the prior authorization of the person in
- 14 charge of a penal facility **or juvenile facility** knowingly or
- 15 intentionally:
- 16 (1) delivers, or carries into the penal facility **or juvenile facility**
- 17 with intent to deliver, an article to an inmate **or child** of the
- 18 facility; ~~or~~
- 19 (2) carries, or receives with intent to carry out of the penal facility
- 20 **or juvenile facility**, an article from an inmate **or child** of the
- 21 facility; **or**
- 22 (3) **delivers, or carries to a work site with the intent to deliver,**
- 23 **alcoholic beverages to an inmate or child of a jail work crew**
- 24 **or community work crew;**
- 25 commits trafficking with an inmate, a Class A misdemeanor. However,
- 26 the offense is a Class C felony if the article is a controlled substance or

- 1 a deadly weapon."
- 2 Renumber all SECTIONS consecutively.

(Reference is to EHB 1305 as printed March 19, 1999.)

Senator WYSS