



Reprinted  
January 19, 2000

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## HOUSE BILL No. 1035

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DIGEST OF HB 1035 (Updated January 18, 2000 12:33 PM - DI 76)

**Citations Affected:** IC 33-19; noncode.

**Synopsis:** Alcohol and drug countermeasures fee. Requires a person who is found to have committed the offense of: (1) operating a tractor-trailer combination or other vehicle recklessly that involved the use of alcohol or a controlled substance; or (2) public intoxication or intoxication upon a common carrier that involved the operation of a vehicle; to pay the \$200 alcohol and drug countermeasures fee. Removes a provision that requires a person's driving privileges to be suspended by a court or the bureau of motor vehicles before the person is required to pay the alcohol and drug countermeasures fee.

**Effective:** July 1, 2000.

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### Villalpando, Dvorak, Dumezich

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November 23, 1999, read first time and referred to Committee on Courts and Criminal Code.  
January 13, 2000, reported — Do Pass.  
January 18, 2000, read second time, amended, ordered engrossed.

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HB 1035—LS 6355/DI 69+



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Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

## HOUSE BILL No. 1035

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

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

1 SECTION 1. IC 7.1-1-2-2 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. Scope.  
3 **Notwithstanding IC 7.1-5-1-3, this** ~~This~~ title applies to the  
4 commercial manufacturing, bottling, selling, bartering, importing,  
5 transporting, delivering, furnishing, or possessing of alcohol, alcoholic  
6 beverages, industrial alcohol, malt, malt syrup, malt extract, liquid malt  
7 or wort.

8 SECTION 2. IC 7.1-5-1-3 IS AMENDED TO READ AS  
9 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. Public  
10 Intoxication Prohibited. It is a Class B misdemeanor for a person to be  
11 in a public place or a place of public resort in a state of ~~intoxication~~.  
12 **intoxication resulting from the use of alcohol or a controlled**  
13 **substance (as defined in IC 35-48-1-9).**

14 SECTION 3. IC 33-19-6-10 IS AMENDED TO READ AS  
15 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 10. In each action in  
16 which a person is found to have:

17 (1) committed an offense under IC 9-30-5;

**HB 1035—LS 6355/DI 69+**



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1 (2) violated a statute defining an infraction under IC 9-30-5; ~~or~~  
 2 (3) been adjudicated a delinquent for an act that would be an  
 3 offense under IC 9-30-5, if committed by an adult;  
 4 **(4) committed an offense under:**  
 5 (A) IC 9-21-8-50; or  
 6 (B) IC 9-21-8-52;  
 7 **that involved the use of alcohol or a controlled substance (as**  
 8 **defined in IC 35-48-1-9); or**  
 9 **(5) committed an offense under:**  
 10 (A) IC 7.1-5-1-3; or  
 11 (B) IC 7.1-5-1-6;  
 12 **that involved the operation of a vehicle;**  
 13 **and the person's driving privileges are suspended by the court or the**  
 14 **bureau of motor vehicles as a result of the finding; the clerk shall**  
 15 **collect an alcohol and drug countermeasures fee of two hundred dollars**  
 16 **(\$200).**  
 17 SECTION 4. [EFFECTIVE JULY 1, 2000] **This act applies to**  
 18 **crimes committed after June 30, 2000.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1035, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

DVORAK, Chair

Committee Vote: yeas 9, nays 0.

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## HOUSE MOTION

Mr. Speaker: I move that House Bill 1035 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 7.1-1-2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. Scope. **Notwithstanding IC 7.1-5-1-3, this** ~~This~~ title applies to the commercial manufacturing, bottling, selling, bartering, importing, transporting, delivering, furnishing, or possessing of alcohol, alcoholic beverages, industrial alcohol, malt, malt syrup, malt extract, liquid malt or wort.

SECTION 2. IC 7.1-5-1-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. Public Intoxication Prohibited. It is a Class B misdemeanor for a person to be in a public place or a place of public resort in a state of ~~intoxication~~: **intoxication resulting from the use of alcohol or a controlled substance (as defined in IC 35-48-1-9)."**

Renumber all sections consecutively.

(Reference is to HB 1035 as printed January 14, 2000.)

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