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# SENATE BILL No. 221

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-8.1-12; IC 35-45-1-5.

**Synopsis:** Disruptive school behavior. Makes it a Class C misdemeanor for a person to engage in certain disruptive behavior while in or on school property or while participating in or attending a school sponsored activity. Requires an employee of a school corporation to report to a school administrator, and requires a school administrator to report to a law enforcement officer, the commission in, on, or within 1,000 feet of school property of any crime, whether committed by an adult or a juvenile. (Current law requires a school employee or administrator to report only the commission of a violation related to controlled substances or a violation concerning minors and alcoholic beverages.)

**Effective:** July 1, 2000.

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January 10, 2000, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.

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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.

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# SENATE BILL No. 221



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 20-8.1-12-1 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 1. This chapter applies  
3 **only to the following:**

4 ~~(1) A violation under IC 7-1-5-7 (concerning minors and alcoholic~~  
5 ~~beverages):~~

6 ~~(2) A violation under IC 35-48-4 (offenses related to controlled~~  
7 ~~substances):~~

8 **the commission of a crime.**

9 SECTION 2. IC 20-8.1-12-1.5 IS ADDED TO THE INDIANA  
10 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
11 [EFFECTIVE JULY 1, 2000]: **Sec. 1.5. As used in this chapter,**  
12 **"crime" has the meaning set forth in IC 35-40-4-3.**

13 SECTION 3. IC 20-8.1-12-2 IS AMENDED TO READ AS  
14 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 2. If a person other than  
15 a member of the administrative staff who is an employee of a school  
16 corporation has personally observed **the commission of**

17 ~~(1) a violation described in section 1 of this chapter; or~~



1           ~~(2) a delinquent act that would be a violation under section 1 of~~  
 2           ~~this chapter if the violator was an adult; crime~~  
 3           in, on, or within one thousand (1,000) feet of the school property of the  
 4           school corporation employing the person, the person shall immediately  
 5           report the violation in writing to a member of the administrative staff  
 6           for the school corporation employing the person.

7           SECTION 4. IC 20-8.1-12-3 IS AMENDED TO READ AS  
 8           FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 3. A member of the  
 9           administrative staff who, based on personal knowledge or on the report  
 10          of another employee of the school corporation, believes that a person  
 11          has committed a ~~violation described in section 1 of this chapter or a~~  
 12          ~~delinquent act that would be a violation described in section 1 of this~~  
 13          ~~chapter if the violator was an adult crime~~ in, on, or within one  
 14          thousand (1,000) feet of the school property of the school corporation  
 15          employing the member, shall immediately report:

- 16           (1) a general description of the ~~violation alleged crime;~~  
 17           (2) the name or a general description of each ~~violator person~~  
 18           **allegedly committing the crime, if known to the member;**  
 19           (3) the date and place of the ~~violation alleged crime;~~  
 20           (4) the name or a general description of each person who the  
 21           member knows witnessed any part of the ~~violation alleged crime;~~  
 22           and  
 23           (5) a general description and the location of any property that the  
 24           member knows was involved in the ~~violation; alleged crime;~~

25          in writing to a law enforcement officer.

26          SECTION 5. IC 20-8.1-12-5 IS AMENDED TO READ AS  
 27          FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 5. (a) A person, other  
 28          than ~~a the~~ person who has committed a ~~violation under section 1 of this~~  
 29          ~~chapter or a delinquent act that would be a violation under section 1 of~~  
 30          ~~this chapter if the violator was an adult, crime that is reported under~~  
 31          **section 2 of this chapter, who:**

- 32           (1) makes a report under this chapter in good faith;  
 33           (2) participates in good faith in a judicial proceeding resulting  
 34           from a report under this chapter;  
 35           (3) employs a person described in subdivision (1) or (2); or  
 36           (4) supervises a person described in subdivision (1) or (2);

37          is not liable for civil damages or penalties that might otherwise be  
 38          imposed because of the conduct described in subdivisions (1) through  
 39          (4).

40          (b) A person described in subsection (a)(1) or (a)(2) is presumed to  
 41          act in good faith.

42          SECTION 6. IC 35-45-1-5 IS ADDED TO THE INDIANA CODE



1 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
2 1, 2000]: **Sec. 5. A person who, while in or on school property or**  
3 **while participating in or attending a school sponsored activity,**  
4 **knowingly or intentionally:**  
5 **(1) makes an unreasonable noise and continues to do so after**  
6 **being asked to stop by a teacher or member of the**  
7 **administrative staff (as defined in IC 20-8.1-1-6); or**  
8 **(2) disrupts:**  
9 **(A) a class;**  
10 **(B) a school assembly or lunchroom; or**  
11 **(C) a school sponsored activity, regardless of whether the**  
12 **activity occurs on school property;**  
13 **commits disruptive school behavior, a Class C misdemeanor.**

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