



March 30, 2001

**ENGROSSED
HOUSE BILL No. 1532**

DIGEST OF HB 1532 (Updated March 28, 2001 5:06 PM - DI 106)

Citations Affected: IC 35-50; noncode.

Synopsis: Probation for misdemeanors. Provides that the maximum term of probation for any class of misdemeanor is one year, notwithstanding the maximum term of imprisonment for the misdemeanor. Provides that a combined term of imprisonment and probation for any class of misdemeanor may not exceed one year.

Effective: July 1, 2001.

Dillon, Sturtz

(SENATE SPONSORS — WHEELER, ALEXA)

January 11, 2001, read first time and referred to Committee on Courts and Criminal Code.
February 20, 2001, reported — Do Pass.
February 26, 2001, read second time, ordered engrossed.
February 27, 2001, engrossed. Read third time, passed. Yeas 94, nays 0.

SENATE ACTION

March 5, 2001, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.
March 29, 2001, reported favorably — Do Pass.

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EH 1532—LS 6447/DI 103+



March 30, 2001

First Regular Session 112th General Assembly (2001)

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 2000 General Assembly.

ENGROSSED HOUSE BILL No. 1532

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 35-50-3-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. (a) The court may
3 suspend any part of a sentence for a misdemeanor.
4 (b) Except as provided in subsection (c), whenever the court
5 suspends **in whole or in part** a sentence for a **Class A, Class B, or**
6 **Class C** misdemeanor, it may place the person on probation under
7 IC 35-38-2 for a fixed period of not more than one (1) year,
8 **notwithstanding the maximum term of imprisonment for the**
9 **misdemeanor set forth in sections 2 through 4 of this chapter.**
10 **However, the combined term of imprisonment and probation for**
11 **a misdemeanor may not exceed one (1) year.**
12 (c) Whenever the court suspends a sentence for a misdemeanor, if
13 the court finds that the use or abuse of alcohol, drugs, or harmful
14 substances is a contributing factor or a material element of the offense,
15 the court may place the person on probation under IC 35-38-2 for a
16 fixed period of not more than two (2) years. However, a court may not
17 place a person on probation for a period of more than twelve (12)

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1 months in the absence of a report that substantiates the need for a
2 period of probation that is longer than twelve (12) months for the
3 purpose of completing a course of substance abuse treatment. A
4 probation user's fee that exceeds fifty percent (50%) of the maximum
5 probation user's fee allowed under IC 35-38-2-1 may not be required
6 beyond the first twelve (12) months of probation.

7 SECTION 2. [EFFECTIVE JULY 1, 2001] **IC 35-50-3-1, as**
8 **amended by this act, applies to misdemeanors committed after**
9 **June 30, 2001.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1532, 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 13, nays 0.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Corrections, Criminal and Civil Procedures, to which was referred House Bill No. 1532, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1532 as printed February 21, 2001.)

LONG, Chairperson

Committee Vote: Yeas 9, Nays 0.

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