

# SENATE BILL No. 371

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 35-38-2.6-1.

**Synopsis:** Driving while intoxicated. Permits an individual convicted of operating while intoxicated with two prior unrelated convictions to be placed directly in a community corrections program.

**Effective:** July 1, 2003.

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January 16, 2003, read first time and referred to Committee on Criminal, Civil and Public Policy.

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First Regular Session 113th General Assembly (2003)

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 2002 Regular or Special Session of the General Assembly.

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## SENATE BILL No. 371



A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

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

- 1 SECTION 1. IC 35-38-2.6-1, AS AMENDED BY P.L.17-2001,
- 2 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2003]: Sec. 1. (a) Except as provided in subsection (b), this
- 4 chapter applies to the sentencing of a person convicted of:
- 5 (1) a felony whenever any part of the sentence may not be
- 6 suspended under IC 35-50-2-2 or IC 35-50-2-2.1; or
- 7 (2) a misdemeanor whenever any part of the sentence may not be
- 8 suspended.
- 9 (b) This chapter does not apply to persons convicted of any of the
- 10 following:
- 11 (1) Sex crimes under IC 35-42-4 or IC 35-46-1-3.
- 12 (2) Any of the felonies listed in IC 35-50-2-2(b)(4), **except for**
- 13 **IC 35-50-2-2(b)(4)(Q) (operating a vehicle while intoxicated**
- 14 **with at least two (2) prior unrelated convictions).**

