

SENATE BILL No. 374

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-43-4-3.3.

Synopsis: Conversion by failure to return rented property. Makes it a Class D felony if a person knowingly or intentionally fails to return a leased motor vehicle or item of personal property after delivery or attempted delivery of a notice by certified mail.

Effective: July 1, 2003.

Clark

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. 374



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 35-43-4-3.3 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2003]: **Sec. 3.3. (a) If a person:**
4 **(1) leases:**
5 **(A) a motor vehicle; or**
6 **(B) any item of personal property with a value greater**
7 **than five hundred dollars (\$500);**
8 **under a written agreement to return the motor vehicle or**
9 **personal property to a specified location within a specified**
10 **time; and**
11 **(2) fails to return the leased motor vehicle or item within the**
12 **specified time;**
13 **the lessor shall comply with subsection (b).**
14 **(b) If a person fails to return a leased motor vehicle or item of**
15 **personal property as described in subsection (a), the lessor shall:**
16 **(1) send written notification of the violation of the agreement**
17 **to the person;**



1 (2) include in the notice a request for return of the article
2 within three (3) days after receipt of the notice; and
3 (3) mail the notice to the last known address of the person.
4 **The lender shall send the notice required by this subsection by
5 certified mail, return receipt requested.**
6 (c) A person who knowingly or intentionally fails to return a
7 leased motor vehicle or item of personal property described in
8 subsection (a) within three (3) days after delivery or attempted
9 delivery of the notice described in subsection (b) commits rental
10 conversion, a Class D felony.
11 (d) Failure to receive a notice properly mailed to the person's
12 last known address is not a defense to a prosecution under
13 subsection (c).

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