
HOUSE BILL No. 1755

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-46-1-4.5.

Synopsis: Neglect of a fetus. Provides that a woman who is pregnant and knowingly or intentionally introduces into her body a controlled substance without a valid prescription commits neglect of a fetus, a Class D felony.

Effective: July 1, 2005.

Thompson, Turner

January 25, 2005, read first time and referred to Committee on Public Policy and Veterans Affairs.

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First Regular Session 114th General Assembly (2005)

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 2004 Regular Session of the General Assembly.

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HOUSE BILL No. 1755



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 35-46-1-4.5 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2005]: **Sec. 4.5. (a) As used in this section, "controlled substance"**
- 4 **means a controlled substance listed in schedule I, II, III, IV, or V**
- 5 **in IC 35-48-2.**
- 6 **(b) A woman who:**
- 7 **(1) is pregnant;**
- 8 **(2) knowingly or intentionally introduces into her body a**
- 9 **controlled substance; and**
- 10 **(3) does not have:**
- 11 **(A) a valid prescription; or**
- 12 **(B) an order of a practitioner (as defined in IC 35-48-1-24)**
- 13 **acting in the course of the practitioner's professional**
- 14 **practice;**
- 15 **for the controlled substance;**
- 16 **commits neglect of a fetus, a Class D felony.**
- 17 **(c) This section does not apply to an abortion performed in**



1 **compliance with IC 16-34.**
2 SECTION 2. [EFFECTIVE JULY 1, 2005] IC 35-46-1-4.5, as
3 **added by this act, applies only to acts committed after June 30,**
4 **2005.**

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