



January 26, 2006

HOUSE BILL No. 1093

DIGEST OF HB 1093 (Updated January 25, 2006 4:22 pm - DI 109)

Citations Affected: IC 35-47; noncode.

Synopsis: Possession of knives at school. Makes possessing a knife on school property or on a school bus a Class B misdemeanor. Makes the offense a Class A misdemeanor if the offender has a previous unrelated conviction and a Class D felony if the offense results in bodily injury or serious bodily injury to another person.

Effective: July 1, 2006.

Dobis, Cheney, Ayres

January 5, 2006, read first time and referred to Committee on Education.
January 25, 2006, amended, reported — Do Pass.

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HB 1093—LS 6637/DI 109+



January 26, 2006

Second Regular Session 114th General Assembly (2006)

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 2005 Regular Session of the General Assembly.

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HOUSE BILL No. 1093



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 35-47-5-2.5 IS ADDED TO THE INDIANA CODE
 2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 3 1, 2006]: **Sec. 2.5. (a) As used in this section, "knife" means an
 4 instrument that:**
 5 (1) consists of a sharp edged or sharp pointed blade capable
 6 of inflicting cutting, stabbing, or tearing wounds; and
 7 (2) is intended to be used as a weapon.
 8 (b) The term includes a dagger, dirk, poniard, stiletto,
 9 switchblade knife, or gravity knife.
 10 (c) A person who recklessly, knowingly, or intentionally
 11 possesses a knife on:
 12 (1) school property (as defined in IC 35-41-1-24.7);
 13 (2) a school bus (as defined in IC 20-27-2-8); or
 14 (3) a special purpose bus (as defined in IC 20-27-2-10);
 15 commits a Class B misdemeanor. However, the offense is a Class
 16 A misdemeanor if the person has a previous unrelated conviction
 17 under this section and a Class D felony if the offense results in

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1 **bodily injury or serious bodily injury to another person.**
2 **(d) This section does not apply to a person who possesses a**
3 **knife:**
4 **(1) if:**
5 **(A) the knife is provided to the person by the school**
6 **corporation or possession of the knife is authorized by the**
7 **school corporation; and**
8 **(B) the person uses the knife for a purpose authorized by**
9 **the school corporation; or**
10 **(2) if the knife is secured in a motor vehicle.**
11 **SECTION 2. [EFFECTIVE JULY 1, 2006] IC 35-47-5-2.5, as**
12 **added by this act, applies only to crimes committed after June 30,**
13 **2006.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1093, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 7, delete "or is readily adaptable to be used".

Page 2, delete lines 6 through 11, begin a new line double block indented and insert:

"(A) the knife is provided to the person by the school corporation or possession of the knife is authorized by the school corporation; and

(B) the person uses the knife for a purpose authorized by the school corporation; or

(2) if the knife is secured in a motor vehicle."

and when so amended that said bill do pass.

(Reference is to HB 1093 as introduced.)

BEHNING, Chair

Committee Vote: yeas 6, nays 4.

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