

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 340 be amended to read as follows:

- 1 Page 15, between lines 36 and 37, begin a new paragraph and insert:
- 2 "SECTION 12. IC 35-38-1-5 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 5. (a) When the
- 4 defendant appears for sentencing, the court shall inform the defendant
- 5 of the verdict of the jury or the finding of the court. The court shall
- 6 afford counsel for the defendant an opportunity to speak on behalf of
- 7 the defendant. The defendant may also make a statement personally in
- 8 the defendant's own behalf and, before pronouncing sentence, the court
- 9 shall ask the defendant whether the defendant wishes to make such a
- 10 statement. Sentence shall then be pronounced, unless a sufficient cause
- 11 is alleged or appears to the court for delay in sentencing.
- 12 (b) A court that sentences a person to a term of imprisonment shall
- 13 include the total costs of incarceration in the sentencing order. The
- 14 court may not consider Class I credit under IC 35-50-6-3 in the
- 15 calculation of the total costs of incarceration."

- 1 Page 22, delete lines 5 through 6, begin a new paragraph and insert:
- 2 "SECTION 18. THE FOLLOWING ARE REPEALED
- 3 [EFFECTIVE JULY 1, 2010]: IC 11-12-2-9; IC 35-41-1-26.8."
- 4 Renumber all SECTIONS consecutively.
(Reference is to ESB 340 as printed February 19, 2010.)

Representative Foley