



January 21, 2011

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## SENATE BILL No. 208

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DIGEST OF SB 208 (Updated January 18, 2011 10:49 am - DI 106)

**Citations Affected:** IC 7.1-5.

**Synopsis:** Public intoxication. Provides that, for purposes of the public intoxication statute, a person is not in a public place or place of public resort if the person is a passenger in a motor vehicle that is traveling on a highway. Specifies that the offense of being intoxicated on a vehicle used for public transportation does not apply to a taxicab.

**Effective:** July 1, 2011.

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**Taylor, Young R Michael, Steele**

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January 5, 2011, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.  
January 20, 2011, amended, reported favorably — Do Pass.

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SB 208—LS 6500/DI 106+



January 21, 2011

First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

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## SENATE BILL No. 208

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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 7.1-5-1-3 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 3. (a) It is a Class B  
3 misdemeanor for a person to be in a public place or a place of public  
4 resort in a state of intoxication caused by the person's use of alcohol or  
5 a controlled substance (as defined in IC 35-48-1-9).

6 (b) **For purposes of this section, a person is not in a public place**  
7 **or place of public resort if the person is a passenger in a motor**  
8 **vehicle that is traveling on a highway (including a motor vehicle**  
9 **that was traveling on a highway until stopped for a traffic**  
10 **violation).**

11 SECTION 2. IC 7.1-5-1-6 IS AMENDED TO READ AS  
12 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 6. (a) **This section**  
13 **does not apply to a taxicab.**

14 (b) It is a Class B misdemeanor for a person to be, or to become,  
15 intoxicated as a result of the person's use of alcohol or a controlled  
16 substance (as defined in IC 35-48-1-9) in or upon a vehicle commonly  
17 used for the public transportation of passengers, or in or upon a

SB 208—LS 6500/DI 106+



1 common carrier, or in or about a depot, station, airport, ticket office,  
2 waiting room, or platform.

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COMMITTEE REPORT

Madam President: The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred Senate Bill No. 208, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, after line 10, begin a new paragraph and insert:

"SECTION 2. IC 7.1-5-1-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 6. **(a) This section does not apply to a taxicab.**

**(b)** It is a Class B misdemeanor for a person to be, or to become, intoxicated as a result of the person's use of alcohol or a controlled substance (as defined in IC 35-48-1-9) in or upon a vehicle commonly used for the public transportation of passengers, or in or upon a common carrier, or in or about a depot, station, airport, ticket office, waiting room, or platform."

and when so amended that said bill do pass.

(Reference is to SB 208 as introduced.)

STEELE, Chairperson

Committee Vote: Yeas 8, Nays 0.

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