

**CONFERENCE COMMITTEE REPORT
DIGEST FOR EHB 1325**

Citations Affected: IC 35-43-4-3.

Synopsis: Criminal conversion of leased motor vehicles. Conference committee report for EHB 1325. Makes criminal conversion of a leased motor vehicle a Class D felony instead of a Class A misdemeanor. **(This conference committee does the following: (1) Removes the following provisions: (A) Making it a Class B misdemeanor for an alcoholic beverage permittee or an employee or agent of the permittee to recklessly, knowingly, or intentionally sell, barter, exchange, provide, or furnish another person who is or reasonably appears to be less than 50 years of age an alcoholic beverage for consumption off the licensed premises without first requiring the person to produce specified identification showing that the person is at least 21 years of age. (Current law makes it a Class B misdemeanor for an alcoholic beverage permittee or an employee or agent of the permittee to recklessly, knowingly, or intentionally sell, barter, exchange, provide, or furnish another person an alcoholic beverage for consumption off the licensed premises without first requiring the person to produce specified identification showing that the person is at least 21 years of age.) (B) Providing that only the alcohol and tobacco commission may conduct random unannounced inspections at locations where alcoholic beverages are sold or distributed to ensure compliance with certain alcoholic beverage laws. (Under current law, an Indiana law enforcement agency, the office of the sheriff of a county, or an organized police department of a municipal corporation may also conduct random unannounced inspections.) (C) Providing that the holder of a club permit for alcoholic beverages may designate as "guest day" or "guest days" three or fewer days in a month or nine or fewer consecutive days in a quarter. (Current law allows a holder of a club permit to designate one day each month as a "guest day".) (2) Adds a provision that makes criminal conversion of a leased motor vehicle a Class D felony instead of a Class A misdemeanor.)**

Effective: July 1, 2011.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT:

Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill No. 1325 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 criminal law and procedure.
- 4 Delete everything after the enacting clause and insert the following:
- 5 SECTION 1. IC 35-43-4-3, AS AMENDED BY P.L.143-2005,
- 6 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 7 JULY 1, 2011]: Sec. 3. (a) A person who knowingly or intentionally
- 8 exerts unauthorized control over property of another person commits
- 9 criminal conversion, a Class A misdemeanor.
- 10 (b) The offense under subsection (a) is a Class D felony if
- 11 committed by a person who exerts unauthorized control over the motor
- 12 vehicle of another person with the intent to use the motor vehicle to
- 13 assist the person in the commission of a crime.
- 14 (c) The offense under subsection (a) is a Class C felony if:
- 15 (1) committed by a person who exerts unauthorized control over
- 16 the motor vehicle of another person; and
- 17 (2) the person uses the motor vehicle to assist the person in the
- 18 commission of a felony.
- 19 **(d) The offense under subsection (a) is a Class D felony if:**
- 20 **(1) the person acquires the property by lease;**
- 21 **(2) the property is a motor vehicle;**
- 22 **(3) the person signs a written agreement to return the**

- 1 **property to a specified location within a specified time; and**
2 **(4) the person fails to return the property:**
3 **(A) within thirty (30) days after the specified time; or**
4 **(B) within three (3) days after a written demand for return**
5 **of the property is either:**
6 **(i) personally served on the person; or**
7 **(ii) sent by registered mail to the person's address that is**
8 **provided by the person in the written agreement.**

(Reference is to EHB 1325 as reprinted April 21, 2011.)

Conference Committee Report
on
Engrossed House Bill 1325

Signed by:

Representative Steuerwald
Chairperson

Senator Merritt

Representative Pelath

Senator Lanane

House Conferees

Senate Conferees