COMMITTEE REPORT

Mr. Speaker: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedures, to which was referred Engrossed Senate Bill 262 because it conflicts with, SEA 257-2012 and HEA 1258-2012 without properly recognizing the existence of SEA 257-2012 or HEA 1258-2012, has had Engrossed Senate Bill 262 under consideration and begs leave to report back to the House with the recommendation that Engrossed Senate Bill 262 be corrected as follows:

In the conference committee report for ESB 262, page 21, line 14, after "IC 11-12-3.7-6" insert ", AS AMENDED BY SEA 257-2012, SECTION 400,".

In the conference committee report for ESB 262, page 21, line 43, delete "motor".

In the conference committee report for ESB 262, page 32, line 4, delete "P.L.3-2008," and insert "SEA 257-2012, SECTION 404,".

In the conference committee report for ESB 262, page 32, line 5, delete 'SECTION 240,".

In the conference committee report for ESB 262, page 32, line 31, delete "motor".

In the conference committee report for ESB 262, page 60, delete lines 32 through 51, begin a new paragraph and insert:

"SECTION 56. IC 35-45-6-1, AS AMENDED BY HEA 1258-2012, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) The definitions in this section apply throughout this chapter.

(b) "Documentary material" means any document, drawing, photograph, recording, or other tangible item containing compiled data from which information can be either obtained or translated into a usable form.

(c) "Enterprise" means:

(1) a sole proprietorship, corporation, limited liability company, partnership, business trust, or governmental entity; or

(2) a union, an association, or a group, whether a legal entity or merely associated in fact.

(d) "Pattern of racketeering activity" means engaging in at least two (2) incidents of racketeering activity that have the same or similar intent, result, accomplice, victim, or method of commission, or that are otherwise interrelated by distinguishing characteristics that are not isolated incidents. However, the incidents are a pattern of racketeering activity only if at least one (1) of the incidents occurred after August 31, 1980, and if the last of the incidents occurred within five (5) years after a prior incident of racketeering activity.

(e) "Racketeering activity" means to commit, to attempt to commit, to conspire to commit a violation of, or aiding and abetting in a violation of any of the following:

(1) A provision of IC 23-19, or of a rule or order issued under IC 23-19.

(2) A violation of IC 35-45-9.

(3) A violation of IC 35-47.

(4) A violation of IC 35-49-3.

(5) Murder (IC 35-42-1-1).

(6) Battery as a Class C felony (IC 35-42-2-1).

(7) Kidnapping (IC 35-42-3-2).

(8) Human and sexual trafficking crimes (IC 35-42-3.5).

(9) Child exploitation (IC 35-42-4-4).

(10) Robbery (IC 35-42-5-1).

(11) Carjacking (IC 35-42-5-2).

(12) Arson (IC 35-43-1-1).

(13) Burglary (IC 35-43-2-1).

(14) Theft (IC 35-43-4-2).

(15) Receiving stolen property (IC 35-43-4-2).

(16) Forgery (IC 35-43-5-2).

(17) Fraud (IC 35-43-5-4(1) through IC 35-43-5-4(10)).

(18) Bribery ~~(IC 35-44-1-1).~~ **IC 35-44.1-1-2).**

(19) Official misconduct ~~(IC 35-44-1-2).~~ **IC 35-44.1-1-1).**

(20) Conflict of interest ~~(IC 35-44-1-3).~~ **IC 35-44.1-1-4).**

(21) Perjury ~~(IC 35-44-2-1).~~ **(IC 35-44.1-2-1).**

(22) Obstruction of justice ~~(IC 35-44-3-4).~~ **(IC 35-44.1-2-2).**

(23) Intimidation (IC 35-45-2-1).

(24) Promoting prostitution (IC 35-45-4-4).

(25) Professional gambling (IC 35-45-5-3).

(26) Maintaining a professional gambling site (IC 35-45-5-3.5(b)).

(27) Promoting professional gambling (IC 35-45-5-4).
(28) Dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1).
(29) Dealing in or manufacturing methamphetamine (IC 35-48-4-1.1).
(30) Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).
(31) Dealing in a schedule IV controlled substance (IC 35-48-4-3).
(32) Dealing in a schedule V controlled substance (IC 35-48-4-4).
(33) Dealing in marijuana, hash oil, hashish, salvia, or a synthetic cannabinoid (IC 35-48-4-10).
(34) Money laundering (IC 35-45-15-5).
(35) A violation of IC 35-47.5-5.
(36) A violation of any of the following:
(A) IC 23-14-48-9.
(B) IC 30-2-9-7(b).
(C) IC 30-2-10-9(b).
(D) IC 30-2-13-38(f).
(37) Practice of law by a person who is not an attorney (IC 33-43-2-1).".

In the conference committee report for ESB 262, delete page 61.

In the conference committee report for ESB 262, page 62, delete line 1.

In the conference committee report for ESB 262, page 64, line 4, delete "P.L.126-2008," and insert "SEA 257-2012,".

In the conference committee report for ESB 262, page 64, line 5, delete "12," and insert "416,".

In the conference committee report for ESB 262, page 64, line 24, delete "motor".

1 In the conference committee report for ESB 262, page 64, line 26,
2 delete "motor".

(Reference is to ESB 262 as printed February 17, 2012, as amended by the Conference Committee Report for ESB 262.)

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Representative Torr, Chairperson

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Representative Austin, R.M.M.

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Representative Steuerwald, Sponsor