

1977 Noncode Acts

1977-26-26

SECTION 26. (a) The repeal by this act of a law or part of a law does not affect any:

- (1) rights or liabilities accrued;
- (2) penalties incurred; or
- (3) proceedings begun; before October 1, 1977. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced as if this act had not been enacted.

(b) An offense committed before October 1, 1977 under a law repealed by this act, shall be prosecuted and remains punishable under the repealed law.

(c) Notwithstanding subsections (a) and (b) of this SECTION, a defense available under IC 35-41-3 is available to any defendant tried or retried after September 30, 1977.

1977-340-149

SECTION 149. (a) A person imprisoned for a felony and assigned to time earning class one (1) or two (2) under IC 11-7-6.1 on September 30, 1977, is assigned to credit time Class I under IC 35-50-6 on October 1, 1977.

(b) A person imprisoned for a felony and assigned to time earning class three (3) under IC 11-7-6.1 on September 30, 1977, is assigned to credit time Class II under IC 35-50-6 on October 1, 1977.

(c) A person imprisoned for a felony and assigned to time earning class four (4) under IC 11-7-6.1 on September 30, 1977, is assigned to credit time Class III under IC 35-50-6 on October 1, 1977.

(d) A person imprisoned for a misdemeanor or confined awaiting trial or sentencing on September 30, 1977, is assigned to credit time Class I under IC 35-50-6 on October 1, 1977.

(e) Neither this act nor Acts 1976, of good time a person has earned under diminution of sentence statutes in effect before October 1, 1977. After September 30, 1977, a person imprisoned under statutes in effect before October 1, 1977, is entitled to diminution of his sentence according to the credit time class to which he is assigned by this SECTION, or to which he may be reassigned under IC 35-50-6.

1977-340-150

SECTION 150. (a) Neither this act nor Acts 1976, P.L.148 affects:

- (1) rights or liabilities accrued;
- (2) penalties incurred; or
- (3) proceedings begun;

before October 1, 1977. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced as if this act and Acts 1976, P.L.148 had not been enacted.

(b) An offense committed before October 1, 1977, under a law repealed by Acts 1976, P.L.148 shall be prosecuted and remains punishable under the repealed law.

(c) Notwithstanding subsections (a) and (b) of this SECTION, a defense available under IC 35-41-3 is available to any defendant tried

or retried after September 30, 1977.