
HOUSE BILL No. 1009

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-42-3.

Synopsis: Criminal confinement and kidnapping. Provides that a person commits kidnapping, a Class A felony, if the person: (1) confines another person while carjacking a vehicle; or (2) removes another person from one place to another with a vehicle. Increases the penalty for criminal confinement to a Class C felony, or a Class B felony if the other person is less than 14 years of age or if the offense is committed while the defendant is armed with a deadly weapon or results in serious bodily injury.

Effective: July 1, 2002.

Herrell

January 8, 2002, read first time and referred to Committee on Courts and Criminal Code.

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Second Regular Session 112th General Assembly (2002)

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 *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

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HOUSE BILL No. 1009



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 35-42-3-2 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 2. (a) A person who
- 3 knowingly or intentionally confines another person:
- 4 (1) with intent to obtain ransom;
- 5 (2) while ~~hijacking~~ **carjacking (as set forth in IC 35-42-5-2)** a
- 6 vehicle;
- 7 (3) with intent to obtain the release, or intent to aid in the escape,
- 8 of any person from lawful detention; or
- 9 (4) with intent to use the person confined as a shield or hostage;
- 10 commits kidnapping, a Class A felony.
- 11 (b) A person who knowingly or intentionally removes another
- 12 person, by fraud, enticement, force, or threat of force, from one place
- 13 to another:
- 14 (1) with intent to obtain ransom;
- 15 (2) ~~while hijacking~~ **with** a vehicle;
- 16 (3) with intent to obtain the release, or intent to aid in the escape,
- 17 of any person from lawful detention; or



1 (4) with intent to use the person removed as a shield or hostage;
 2 commits kidnapping, a Class A felony.
 3 SECTION 2. IC 35-42-3-3 IS AMENDED TO READ AS
 4 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 3. (a) A person who
 5 knowingly or intentionally:
 6 (1) confines another person without the other person's consent; or
 7 (2) removes another person, by fraud, enticement, force, or threat
 8 of force, from one (1) place to another;
 9 commits criminal confinement, a ~~Class D~~ **Class C** felony.
 10 ~~However, the~~ (b) ~~The~~ offense is a ~~Class E~~ **Class B** felony if:
 11 (1) the other person is less than fourteen (14) years of age and is
 12 not the person's child; **or**
 13 ~~and a Class B felony~~ if (2) it is committed while armed with a
 14 deadly weapon or results in serious bodily injury to another
 15 person.

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