

Adopted	Rejected
---------	----------

COMMITTEE REPORT

YES:	13
NO:	0

MR. SPEAKER:

*Your Committee on **Judiciary** , to which was referred Senate Bill 479 , has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, line 16, after "and" insert "**an**".
- 2 Page 2, line 32, delete "subsection (b)(2)" and insert "**subdivision**
- 3 **(2)**".
- 4 Page 5, line 1, after "IC 35-42-4" insert ",".
- 5 Page 6, line 20, after "IC 35-42-4" insert ",".
- 6 Page 9, line 36, strike "a person".
- 7 Page 9, line 36, delete "(as)".
- 8 Page 9, line 36, strike "defined".
- 9 Page 9, line 36, delete "in" and insert "**an individual**";.
- 10 Page 9, delete lines 37 through 38.
- 11 Page 9, line 39, strike "federal agency;" and insert "**partnership**;
- 12 **(3) an association**;
- 13 **(4) a limited liability company**;
- 14 **(5) a corporation**;
- 15 **(6) a business trust**";.
- 16 Page 9, line 40, strike "(3)" and insert "**(7)**".

1 Page 10, line 2, delete "(4)".

2 Page 10, line 2, strike "a private, public, or quasi-public corporation
3 or a public".

4 Page 10, strike line 3.

5 Page 10, line 4, delete "(5)".

6 Page 10, line 4, strike "a public agency operating wholly within or
7 as part of a".

8 Page 10, strike line 5, begin a new line block indented and insert:

9 **"(8) a governmental agency; or**
10 **(9) a political subdivision;**
11 **that has at least two (2) employees during any work week."**

12 Page 10, between lines 17 and 18, begin a new paragraph and insert:

13 "SECTION 15. IC 35-33-1-1, AS AMENDED BY P.L.133-2002,
14 SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2003]: Sec. 1. (a) A law enforcement officer may arrest a
16 person when the officer has:

- 17 (1) a warrant commanding that the person be arrested;
18 (2) probable cause to believe the person has committed or
19 attempted to commit, or is committing or attempting to commit,
20 a felony;
21 (3) probable cause to believe the person has violated the
22 provisions of IC 9-26-1-1(1), IC 9-26-1-1(2), IC 9-26-1-2(1),
23 IC 9-26-1-2(2), IC 9-26-1-3, IC 9-26-1-4, or IC 9-30-5;
24 (4) probable cause to believe the person is committing or
25 attempting to commit a misdemeanor in the officer's presence;
26 (5) probable cause to believe the person has committed a:
27 (A) battery resulting in bodily injury under IC 35-42-2-1; or
28 (B) domestic battery under IC 35-42-2-1.3.

29 The officer may use an affidavit executed by an individual alleged
30 to have direct knowledge of the incident alleging the elements of
31 the offense of battery to establish probable cause;

- 32 (6) probable cause to believe that the person violated
33 IC 35-46-1-15.1 (invasion of privacy);
34 (7) probable cause to believe that the person violated
35 IC 35-47-2-1 (carrying a handgun without a license) or
36 IC 35-47-2-22 (counterfeit handgun license); ~~or~~
37 (8) probable cause to believe that the person is violating or has
38 violated an order issued under IC 35-50-7; **or**

- 1 **(9) probable cause to believe that the person is:**
- 2 **(A) violating or has violated IC 35-45-2-5 (interference**
- 3 **with the reporting of a crime); and**
- 4 **(B) interfering with or preventing the reporting of a crime**
- 5 **involving domestic or family violence (as defined in**
- 6 **IC 34-6-2-34.5).**
- 7 (b) A person who:
- 8 (1) is employed full time as a federal enforcement officer;
- 9 (2) is empowered to effect an arrest with or without warrant for a
- 10 violation of the United States Code; and
- 11 (3) is authorized to carry firearms in the performance of the
- 12 person's duties;
- 13 may act as an officer for the arrest of offenders against the laws of this
- 14 state where the person reasonably believes that a felony has been or is
- 15 about to be committed or attempted in the person's presence."
- 16 Renumber all SECTIONS consecutively.
- (Reference is to SB 479 as printed February 7, 2003.)

and when so amended that said bill do pass.

Representative Lawson L