
SENATE BILL No. 427

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-5-7-8.

Synopsis: Penalty for providing alcohol to a minor. Makes providing alcohol to a minor a Class B misdemeanor instead of a Class C misdemeanor if the person who provides the alcohol to a minor has a prior unrelated conviction for the same crime. Provides that a person who provides alcohol to a minor commits: (1) a Class A misdemeanor if the minor subsequently operates a motor vehicle with a 0.02 blood alcohol level and suffers serious bodily injury; (2) a Class D felony if the minor dies; (3) a Class D felony if the minor suffers serious bodily injury and the person has a prior unrelated conviction for providing alcohol to a minor; and (4) a Class C felony if the minor dies and the person has a prior unrelated conviction for providing alcohol to a minor.

Effective: July 1, 2003.

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January 21, 2003, read first time and referred to Committee on Criminal, Civil and Public Policy.

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First Regular Session 113th General Assembly (2003)

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 a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

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SENATE BILL No. 427



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 7.1-5-7-8 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 8. (a) It is a Class C
- 3 misdemeanor for a person to recklessly sell, barter, exchange, provide,
- 4 or furnish an alcoholic beverage to a minor.
- 5 (b) **However, the offense described in subsection (a) is:**
- 6 (1) **a Class B misdemeanor if the person has a prior unrelated**
- 7 **conviction under this section;**
- 8 (2) **a Class A misdemeanor if the minor, after receiving the**
- 9 **alcoholic beverage from the person, operates a vehicle with an**
- 10 **alcohol concentration equivalent to at least two-hundredths**
- 11 **(0.02) gram of alcohol per:**
- 12 (A) **one hundred (100) milliliters of the minor's blood; or**
- 13 (B) **two hundred ten (210) liters of the minor's breath;**
- 14 **and suffers serious bodily injury;**
- 15 (3) **a Class D felony if the minor, after receiving the alcoholic**
- 16 **beverage from the person, operates a vehicle with an alcohol**
- 17 **concentration equivalent to at least two-hundredths (0.02)**



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gram of alcohol per:

(A) one hundred (100) milliliters of the minor's blood; or

(B) two hundred ten (210) liters of the minor's breath;

and dies;

(4) a Class D felony if the person has a prior, unrelated conviction under this section and commits a violation described in subdivision (2); and

(5) a Class C felony if the person has a prior, unrelated conviction under this section and commits a violation described in subdivision (3).

(c) This section shall not be construed to impose civil liability upon any educational institution of higher learning, including but not limited to public and private universities and colleges, business schools, vocational schools, and schools for continuing education, or its agents for injury to any person or property sustained in consequence of a violation of this section unless such institution or its agent sells, barter, exchanges, provides, or furnishes an alcoholic beverage to a minor.

SECTION 2. [EFFECTIVE JULY 1, 2003] IC 7.1-5-7-8, as amended by this section, applies only to offenses committed after June 30, 2003.

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