

HOUSE BILL No. 1241

DIGEST OF INTRODUCED BILL

Citations Affected: IC 10-13-6-10.

Synopsis: DNA samples from felons. Requires a person convicted of: (1) a felony; (2) conspiracy to commit a felony; or (3) attempt to commit a felony; to submit a DNA sample to the department of correction or a sheriff.

Effective: July 1, 2005.

Harris T, Behning

January 6, 2005, read first time and referred to Committee on Courts and Criminal Code.

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First Regular Session 114th General Assembly (2005)

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 2004 Regular Session of the General Assembly.

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HOUSE BILL No. 1241



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 10-13-6-10 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. (a) This section
3 applies to the following:
4 (1) A person convicted of a felony under IC 35-42 (offenses
5 against the person) **or** IC 35-43-2-1 (burglary): ~~or IC 35-42-4-6~~
6 ~~(child solicitation):~~
7 (A) after June 30, 1996, whether or not the person is sentenced
8 to a term of imprisonment; ~~and or~~
9 (B) before July 1, 1996, if the person is held in jail or prison
10 on or after July 1, 1996.
11 (2) A person convicted of a criminal law in effect before October
12 1, 1977, that penalized an act substantially similar to a felony
13 described in IC 35-42 or IC 35-43-2-1 or that would have been an
14 included offense of a felony described in IC 35-42 or
15 IC 35-43-2-1 if the felony had been in effect:
16 (A) after June 30, 1998, whether or not the person is sentenced
17 to a term of imprisonment; ~~and or~~



1 (B) before July 1, 1998, if the person is held in jail or prison
 2 on or after July 1, 1998.
 3 **(3) A person convicted of a felony, conspiracy to commit a**
 4 **felony, or attempt to commit a felony:**
 5 **(A) after June 30, 2005, whether or not the person is**
 6 **sentenced to a term of imprisonment; or**
 7 **(B) before July 1, 2005, if the person is held in jail or**
 8 **prison on or after July 1, 2005.**
 9 (b) A person described in subsection (a) shall provide a DNA
 10 sample to the:
 11 (1) department of correction or the designee of the department of
 12 correction if the offender is committed to the department of
 13 correction; or
 14 (2) county sheriff or the designee of the county sheriff if the
 15 offender is held in a county jail or other county penal facility,
 16 placed in a community corrections program (as defined in
 17 IC 35-38-2.6-2), or placed on probation.
 18 A ~~convicted~~ person is not required to submit a blood sample if doing
 19 so would present a substantial and an unreasonable risk to the person's
 20 health.

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