



February 24, 2006

**ENGROSSED
HOUSE BILL No. 1024**

DIGEST OF HB 1024 (Updated February 21, 2006 3:20 pm - DI 106)

Citations Affected: IC 35-42; noncode.

Synopsis: Criminal confinement. Makes criminal confinement a Class C felony if: (1) it is committed by using a vehicle; or (2) it results in bodily injury to a person other than the confining or removing person.

Effective: July 1, 2006.

Smith J, Thomas

(SENATE SPONSOR — DROZDA)

January 4, 2006, read first time and referred to Committee on Courts and Criminal Code.
January 19, 2006, amended, reported — Do Pass.
January 25, 2006, read second time, ordered engrossed.
January 26, 2006, engrossed. Read third time, passed. Yeas 95, nays 0.

SENATE ACTION

February 1, 2006, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.
February 23, 2006, amended, reported favorably — Do Pass.

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EH 1024—LS 6225/DI 106+



February 24, 2006

Second Regular Session 114th General Assembly (2006)

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 2005 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1024

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 35-42-3-3 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 3. (a) A person who
 3 knowingly or intentionally:
 4 (1) confines another person without the other person's consent; or
 5 (2) removes another person, by fraud, enticement, force, or threat
 6 of force, from one (1) place to another;
 7 commits criminal confinement. Except as provided in subsection (b),
 8 the offense of criminal confinement is a Class D felony.
 9 (b) The offense of criminal confinement defined in subsection (a)
 10 is:
 11 (1) a Class C felony if:
 12 (A) the person confined or removed is less than fourteen (14)
 13 years of age and is not the confining or removing person's
 14 child;
 15 (B) **it is committed by using a vehicle; and or**
 16 (C) **it results in bodily injury to a person other than the**
 17 **confining or removing person; and**

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1 (2) a Class B felony if it:
2 (A) is committed while armed with a deadly weapon;
3 (B) results in serious bodily injury to a person other than the
4 confining or removing person; or
5 (C) is committed on an aircraft.
6 SECTION 2. [EFFECTIVE JULY 1, 2006] IC 35-42-3-3, as
7 amended by this act, applies only to crimes committed after June
8 30, 2006.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1024, 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:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 19, begin a new paragraph and insert:

"SECTION 1. IC 35-42-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 3. (a) A person who knowingly or intentionally:

- (1) confines another person without the other person's consent; or
- (2) removes another person, by fraud, enticement, force, or threat of force, from one (1) place to another;

commits criminal confinement. Except as provided in subsection (b), the offense of criminal confinement is a ~~Class D~~ **Class C** felony.

(b) The offense of criminal confinement defined in subsection (a) is:

- (1) a ~~Class E~~ **Class B** felony if:

(A) the person confined or removed is less than fourteen (14) years of age and is not the confining or removing person's child; or

(B) **it is committed by using a vehicle;** and

- (2) a ~~Class B~~ **Class A** felony if it:

(A) is committed while armed with a deadly weapon;

(B) results in serious bodily injury to a person other than the confining or removing person; or

(C) is committed on an aircraft."

Page 2, line 20, delete "IC 35-42-3-2 and".

Page 2, line 21, delete "both".

Page 2, line 21, delete "apply" and insert "**applies**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1024 as introduced.)

ULMER, Chair

Committee Vote: yeas 11, nays 0.

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COMMITTEE REPORT

Madam President: The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred House Bill No. 1024, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 8, reset in roman "Class D".

Page 1, line 8, delete "Class C".

Page 1, line 11, reset in roman "Class C".

Page 1, line 11, delete "Class B".

Page 1, line 14, delete "or".

Page 1, line 15, strike "and" and insert "**or**".

Page 1, between lines 15 and 16, begin a new line double block indented and insert:

"(C) it results in bodily injury to a person other than the confining or removing person; and".

Page 1, line 16, reset in roman "Class B".

Page 1, line 16, delete "Class A".

and when so amended that said bill do pass.

(Reference is to HB 1024 as printed January 20, 2006.)

LONG, Chairperson

Committee Vote: Yeas 9, Nays 1.

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