

HOUSE BILL No. 1024

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-42-3-2; IC 35-42-3-3.

Synopsis: Kidnapping and criminal confinement. Provides that a person commits kidnapping if the person removes another person by fraud, force, or enticement from one place to another by using a vehicle. (Under current law, the removal of the person is kidnapping only if the vehicle used is being hijacked.) Makes criminal confinement a Class C felony, and enhances the offense to a Class B felony if the person confined or removed is less than 14 years of age.

Effective: July 1, 2006.

Smith J

January 4, 2006, read first time and referred to Committee on Courts and Criminal Code.

C
o
p
y



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.

C
O
P
Y

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 35-42-3-2 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2. (a) A person who
- 3 knowingly or intentionally confines another person:
- 4 (1) with intent to obtain ransom;
- 5 (2) while hijacking a vehicle;
- 6 (3) with intent to obtain the release, or intent to aid in the escape,
- 7 of any person from lawful detention; or
- 8 (4) with intent to use the person confined as a shield or hostage;
- 9 commits kidnapping, a Class A felony.
- 10 (b) A person who knowingly or intentionally removes another
- 11 person by fraud, enticement, force, or threat of force from one place to
- 12 another:
- 13 (1) with intent to obtain ransom;
- 14 (2) ~~while hijacking~~ **by using** a vehicle;
- 15 (3) with intent to obtain the release, or intent to aid in the escape,
- 16 of any person from lawful detention; or
- 17 (4) with intent to use the person removed as a shield or hostage;



1 commits kidnapping, a Class A felony.
 2 SECTION 2. IC 35-42-3-3 IS AMENDED TO READ AS
 3 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 3. (a) A person who
 4 knowingly or intentionally:
 5 (1) confines another person without the other person's consent; or
 6 (2) removes another person by fraud, enticement, force, or threat
 7 of force from one (1) place to another;
 8 commits criminal confinement. Except as provided in subsection (b),
 9 the offense of criminal confinement is a ~~Class D~~ **Class C** felony.
 10 (b) The offense of criminal confinement defined in subsection (a)
 11 is a **Class B felony if:**
 12 (1) ~~a Class C felony~~ if the person confined or removed is less than
 13 fourteen (14) years of age and is not the confining or removing
 14 person's child; ~~and or~~
 15 (2) ~~a Class B felony~~ if it the offense:
 16 (A) is committed while armed with a deadly weapon;
 17 (B) results in serious bodily injury to a person other than the
 18 confining or removing person; or
 19 (C) is committed on an aircraft.
 20 SECTION 3. [EFFECTIVE JULY 1, 2006] **IC 35-42-3-2 and**
 21 **IC 35-42-3-3, both as amended by this act, apply only to crimes**
 22 **committed after June 30, 2006.**

C
o
p
y

