

# HOUSE BILL No. 1566

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 35-48-4-1.1.

**Synopsis:** Methamphetamine production. Enhances the penalty for manufacturing methamphetamine to a Class A felony if: (1) the laboratory or chemicals used to manufacture the methamphetamine; or (2) waste from the manufacture of the methamphetamine; causes serious bodily injury or death to a person other than the defendant.

**Effective:** July 1, 2009.

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## Bell, Pearson, Yarde

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January 16, 2009, read first time and referred to Committee on Courts and Criminal Code.

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Introduced

First Regular Session 116th General Assembly (2009)

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 2008 Regular Session of the General Assembly.

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## HOUSE BILL No. 1566

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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 35-48-4-1.1, AS ADDED BY P.L.151-2006,  
2 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2009]: Sec. 1.1. (a) A person who:  
4 (1) knowingly or intentionally:  
5 (A) manufactures;  
6 (B) finances the manufacture of;  
7 (C) delivers; or  
8 (D) finances the delivery of;  
9 methamphetamine, pure or adulterated; or  
10 (2) possesses, with intent to:  
11 (A) manufacture;  
12 (B) finance the manufacture of;  
13 (C) deliver; or  
14 (D) finance the delivery of;  
15 methamphetamine, pure or adulterated;  
16 commits dealing in methamphetamine, a Class B felony, except as  
17 provided in subsection (b).

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1 (b) The offense is a Class A felony if:  
 2 (1) the amount of the drug involved weighs three (3) grams or  
 3 more;  
 4 (2) the person:  
 5 (A) delivered; or  
 6 (B) financed the delivery of;  
 7 the drug to a person under eighteen (18) years of age at least three  
 8 (3) years junior to the person; or  
 9 (3) the person manufactured, delivered, or financed the delivery  
 10 of the drug:  
 11 (A) on a school bus; or  
 12 (B) in, on, or within one thousand (1,000) feet of:  
 13 (i) school property;  
 14 (ii) a public park;  
 15 (iii) a family housing complex; or  
 16 (iv) a youth program center; or  
 17 **(4) the:**  
 18 **(A) laboratory or chemicals used to manufacture the**  
 19 **methamphetamine; or**  
 20 **(B) waste from the manufacture of the methamphetamine;**  
 21 **causes serious bodily injury or death to a person other than**  
 22 **the defendant.**  
 23 SECTION 2. [EFFECTIVE JULY 1, 2009] IC 35-48-4-1.1, as  
 24 amended by this act, applies only to crimes committed after June  
 25 30, 2009.

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