

HOUSE BILL No. 1578

DIGEST OF INTRODUCED BILL

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

Synopsis: Reckless discharge of a weapon. Provides that the death of any person caused by a descending bullet fired into the air constitutes criminal recklessness as a Level 5 felony.

Effective: July 1, 2019.

Candelaria Reardon

January 17, 2019, read first time and referred to Committee on Courts and Criminal Code.



First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

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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 35-42-2-2, AS AMENDED BY P.L.158-2013,
2 SECTION 423, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) A person who recklessly,
4 knowingly, or intentionally performs an act that creates a substantial
5 risk of bodily injury to another person commits criminal recklessness.
6 Except as provided in subsection (b), criminal recklessness is a Class
7 B misdemeanor.
8 (b) The offense of criminal recklessness as defined in subsection (a)
9 is:
10 (1) a Level 6 felony if:
11 (A) it is committed while armed with a deadly weapon; or
12 (B) the person committed aggressive driving (as defined in
13 IC 9-21-8-55) that results in serious bodily injury to another
14 person; or
15 (2) a Level 5 felony if:
16 (A) it is committed by shooting a firearm into an inhabited
17 dwelling or other building or place where people are likely to



1 gather; **or**
2 (B) the person committed aggressive driving (as defined in
3 IC 9-21-8-55) that results in the death of another person; **or**
4 **(C) it is committed by shooting a firearm into the air and**
5 **the descending bullet results in the death of any person.**

