

SENATE BILL No. 24

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-30-5-3.

Synopsis: OWI and public safety officials. Makes operating while intoxicated a Level 6 felony if the operator causes bodily injury to a public safety official or property damage to an authorized emergency vehicle.

Effective: July 1, 2019.

Merritt

January 3, 2019, read first time and referred to Committee on Corrections and Criminal Law.



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 9-30-5-3, AS AMENDED BY P.L.158-2013,
2 SECTION 159, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2019]: Sec. 3. (a) Except as provided in
4 subsection (b), a person who violates section 1 or 2 of this chapter
5 commits a Level 6 felony if:
6 (1) the person has a previous conviction of operating while
7 intoxicated that occurred within the five (5) years immediately
8 preceding the occurrence of the violation of section 1 or 2 of this
9 chapter; **or**
10 (2) the person:
11 (A) is at least twenty-one (21) years of age;
12 (B) violates section 1(b) or 2(b) of this chapter; and
13 (C) operated a vehicle in which at least one (1) passenger was
14 less than eighteen (18) years of age; **or**
15 (3) **the person causes:**
16 (A) **bodily injury to a public safety official (as defined in**
17 **IC 35-42-2-1) who is on duty; or**



- 1 **(B) property damage to an authorized emergency vehicle**
- 2 **being used by a public safety official while on duty, even if**
- 3 **the vehicle is not occupied by the public safety official at**
- 4 **the time the property damage occurs.**
- 5 (b) A person who violates section 1 or 2 of this chapter or
- 6 subsection (a)(2) commits a Level 5 felony if:
- 7 (1) the person has a previous conviction of operating while
- 8 intoxicated causing death (IC 9-30-5-5); or
- 9 (2) the person has a previous conviction of operating while
- 10 intoxicated causing serious bodily injury (IC 9-30-5-4).

