

Second Regular Session of the 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1033

AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 35-50-2-1, AS AMENDED BY P.L.158-2013, SECTION 652, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) As used in this chapter, "Level 6 felony conviction" means:

- (1) a conviction in Indiana for:
 - (A) a Class D felony, for a crime committed before July 1, 2014; or
 - (B) a Level 6 felony, for a crime committed after June 30, 2014; and
- (2) a conviction, in any other jurisdiction at any time, with respect to which the convicted person might have been imprisoned for more than one (1) year **but less than two and one-half (2 1/2) years.**

However, the term does not include a conviction with respect to which the person has been pardoned, or a conviction of a Class A misdemeanor entered under IC 35-38-1-1.5 or section 7(c) or 7(d) of this chapter.

(b) As used in this chapter, "felony conviction" means a conviction, in any jurisdiction at any time, with respect to which the convicted person might have been imprisoned for more than one (1) year. However, it does not include a conviction with respect to which the

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person has been pardoned, or a conviction of a Class A misdemeanor under section 7(c) of this chapter.

(c) As used in this chapter, "minimum sentence" means:

- (1) for murder, forty-five (45) years;
- (2) for a Class A felony, for a crime committed before July 1, 2014, twenty (20) years;
- (3) for a Class B felony, for a crime committed before July 1, 2014, six (6) years;
- (4) for a Class C felony, for a crime committed before July 1, 2014, two (2) years;
- (5) for a Class D felony, for a crime committed before July 1, 2014, one-half (1/2) year;
- (6) for a Level 1 felony, for a crime committed after June 30, 2014, twenty (20) years;
- (7) for a Level 2 felony, for a crime committed after June 30, 2014, ten (10) years;
- (8) for a Level 3 felony, for a crime committed after June 30, 2014, three (3) years;
- (9) for a Level 4 felony, for a crime committed after June 30, 2014, two (2) years;
- (10) for a Level 5 felony, for a crime committed after June 30, 2014, one (1) year; and
- (11) for a Level 6 felony, for a crime committed after June 30, 2014, one-half (1/2) year.

SECTION 2. An emergency is declared for this act.

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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