

First Regular Session of the 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1104

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 35-31.5-2-9.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 9.5. "Adulterant", for purposes of IC 35-43-5, has the meaning set forth in IC 35-43-5-19.5(a).**

SECTION 2. IC 35-31.5-2-224, AS AMENDED BY P.L.185-2013, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 224. (a) "Owner", for purposes of IC 35-43-1-3, has the meaning set forth in IC 35-43-1-3(a).

(b) "Owner", for purposes of IC 35-48-3, has the meaning set forth in IC 35-48-3-1.5.

(c) "Owner", for purposes of IC 35-49, has the meaning set forth in IC 35-49-1-6.

(d) "Owner", for purposes of IC 35-43-5-19.5, means any person with an ownership interest or right to profit in a business.

SECTION 3. IC 35-31.5-2-322.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 322.5. "Synthetic urine", for purposes of IC 35-43-5, has the meaning set forth in IC 35-43-5-19.5(b).**

SECTION 4. IC 35-43-5-19.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS

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[EFFECTIVE JULY 1, 2017]: **Sec. 19.5. (a) As used in this section, "adulterant" means any substance that is designed to be added to human urine for the purpose of defrauding an alcohol, drug, or urine screening test.**

(b) As used in this section, "synthetic urine" means any substance that is designed to simulate the:

- (1) composition;**
- (2) chemical properties;**
- (3) physical appearance; or**
- (4) physical properties;**

of human urine for the purpose of defrauding an alcohol, drug, or urine screening test.

(c) An owner who knowingly or intentionally distributes, keeps, offers for sale, sells, delivers, or finances the delivery of:

- (1) an adulterant; or**
- (2) synthetic urine;**

with the intent to defraud or assist an individual in defrauding an alcohol, drug, or urine screening test commits a Class B misdemeanor. However, the offense is a Class A misdemeanor if the person has a prior unrelated conviction under this section.



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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