

# SENATE BILL No. 24

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## 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.

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## Merritt

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

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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.

## SENATE BILL No. 24

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).

