



January 16, 2014

SENATE BILL No. 28

DIGEST OF SB 28 (Updated January 14, 2014 12:44 pm - DI 106)

Citations Affected: IC 7.1-5.

Synopsis: Alcohol consumption by a minor. Makes it a Class B misdemeanor for a person to recklessly, knowingly, or intentionally: (1) rent property; or (2) provide or arrange for the use of property; for the purpose of allowing or enabling a minor to consume an alcoholic beverage on the property. Makes this offense a: (1) Class A misdemeanor if the person has a prior unrelated conviction; and (2) Level 6 felony if the consumption, ingestion, or use of the alcoholic beverage is the proximate cause of the serious bodily injury or death of any person. Provides immunity from civil liability on a postsecondary educational institution or its agents under certain conditions.

Effective: July 1, 2014.

Miller Pete, Randolph

January 7, 2014, read first time and referred to Committee on Corrections & Criminal Law.
January 15, 2014, amended, reported favorably — Do Pass.

SB 28—LS 6068/DI 110



January 16, 2014

Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

SENATE BILL No. 28

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 7.1-5-7-8, AS AMENDED BY P.L.158-2013,
2 SECTION 127, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2014]: Sec. 8. (a) It is a Class B misdemeanor
4 for a person to:
5 (1) recklessly, knowingly, or intentionally sell, barter, exchange,
6 provide, or furnish an alcoholic beverage to a minor; **or**
7 (2) **recklessly, knowingly, or intentionally:**
8 (A) **rent property; or**
9 (B) **provide or arrange for the use of property;**
10 **for the purpose of allowing or enabling a minor to consume an**
11 **alcoholic beverage on the property.**
12 (b) However, the offense described in subsection (a) is:
13 (1) a Class A misdemeanor if the person has a prior unrelated
14 conviction under this section; and
15 (2) a Level 6 felony if the consumption, ingestion, or use of the
16 alcoholic beverage is the proximate cause of the serious bodily

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1 injury or death of any person.
2 (c) This section shall not be construed to impose civil liability upon
3 any postsecondary educational institution, including public and private
4 universities and colleges, business schools, vocational schools, and
5 schools for continuing education, or its agents for injury to any person
6 or property sustained in consequence of a violation of this section
7 unless ~~such~~ **the** institution or its agent:
8 (1) sells, barter, exchanges, provides, or furnishes an alcoholic
9 beverage to a minor; **or**
10 (2) **either:**
11 (A) rents property; **or**
12 (B) provides or arranges for the use of property;
13 **for the purpose of allowing or enabling a minor to consume an**
14 **alcoholic beverage on the property.**



COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill No. 28, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 7, strike "such" and insert "**the**".

Page 2, line 8, delete "recklessly, knowingly, or intentionally".

Page 2, line 11, delete "recklessly, knowingly, or intentionally:" and insert "**either:**".

and when so amended that said bill do pass.

(Reference is to SB 28 as introduced.)

YOUNG R MICHAEL, Chairperson

Committee Vote: Yeas 6, Nays 0.

