



January 10, 2018

SENATE BILL No. 63

DIGEST OF SB 63 (Updated January 9, 2018 10:47 am - DI 84)

Citations Affected: IC 35-42; IC 35-45.

Synopsis: Sentencing enhancement for injury to others. Makes a technical correction.

Effective: July 1, 2018.

Young M

January 3, 2018, read first time and referred to Committee on Corrections and Criminal Law.
January 9, 2018, reported favorably — Do Pass.

SB 63—LS 6221/DI 128



January 10, 2018

Second Regular Session 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.

SENATE BILL No. 63

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 35-42-5-1, AS AMENDED BY P.L.202-2017,
2 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2018]: Sec. 1. (a) Except as provided in subsection (b), a
4 person who knowingly or intentionally takes property from another
5 person or from the presence of another person:
6 (1) by using or threatening the use of force on any person; or
7 (2) by putting any person in fear;
8 commits robbery, a Level 5 felony. However, the offense is a Level 3
9 felony if it is committed while armed with a deadly weapon or results
10 in bodily injury to any person other than a defendant, and a Level 2
11 felony if it results in serious bodily injury to any person other than a
12 defendant.
13 (b) A person who knowingly or intentionally takes a controlled
14 substance from a pharmacist acting in an official capacity or from a
15 pharmacy by:
16 (1) using or threatening the use of force on any person; or
17 (2) putting any person in fear;

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1 commits robbery, a Level 4 felony. However, the offense is a Level 2
2 felony if it is committed while armed with a deadly weapon or results
3 in bodily injury to any person other than ~~the a~~ defendant, and the
4 offense is a Level 1 felony if it results in serious bodily injury to any
5 person other than ~~the a~~ defendant.

6 SECTION 2. IC 35-45-21-1, AS ADDED BY P.L.213-2013,
7 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2018]: Sec. 1. (a) As used in this section, "blood" has the
9 meaning set forth in IC 16-41-12-2.5.

10 (b) A person who recklessly, knowingly, or intentionally donates,
11 sells, or transfers blood or semen for artificial insemination (as defined
12 in IC 16-41-14-2) that contains the human immunodeficiency virus
13 (HIV) commits transferring contaminated body fluids, a Level 5 felony.

14 (c) However, the offense under subsection (b) is a Level 3 felony if
15 it results in the transmission of the human immunodeficiency virus
16 (HIV) to any person other than ~~the a~~ defendant.

17 (d) This section does not apply to:

18 (1) a person who, for reasons of privacy, donates, sells, or
19 transfers blood at a blood center (as defined in IC 16-41-12-3)
20 after the person has notified the blood center that the blood must
21 be disposed of and may not be used for any purpose;

22 (2) a person who transfers blood, semen, or another body fluid
23 that contains the human immunodeficiency virus (HIV) for
24 research purposes; or

25 (3) a person who is an autologous blood donor for stem cell
26 transplantation.



COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill No. 63, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 63 as introduced.)

YOUNG M, Chairperson

Committee Vote: Yeas 8, Nays 0

