

SENATE BILL No. 170

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-30-1-4.

Synopsis: Pharmacy robbery. Provides that a juvenile court does not have jurisdiction over an individual for an alleged robbery that was committed in a pharmacy or in a retailer containing a pharmacy if the individual was at least 16 years of age but less than 18 years of age at the time of the alleged robbery. Specifies that a juvenile court does not have jurisdiction over such an individual if the individual allegedly committed the offense of carrying a handgun without a license or an offense under the children and firearms statute. (Under current law, a juvenile court does not have jurisdiction over the alleged commission of these offenses if the offense is charged as a felony.)

Effective: July 1, 2017.

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January 4, 2017, read first time and referred to Committee on Judiciary.



First Regular Session 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.

SENATE BILL No. 170

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

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

- 1 SECTION 1. IC 31-30-1-4, AS AMENDED BY P.L.28-2016,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2017]: Sec. 4. (a) The juvenile court does not have jurisdiction
4 over an individual for an alleged violation of:
5 (1) IC 35-41-5-1(a) (attempted murder);
6 (2) IC 35-42-1-1 (murder);
7 (3) IC 35-42-3-2 (kidnapping);
8 (4) IC 35-42-4-1 (rape);
9 (5) IC 35-42-4-2 (criminal deviate conduct) (before its repeal);
10 (6) IC 35-42-5-1 (robbery) if:
11 (A) the robbery was committed while armed with a deadly
12 weapon; **or**
13 (B) the robbery results in bodily injury or serious bodily
14 injury; **or**
15 **(C) the robbery was committed in a pharmacy or a retailer**
16 **containing a pharmacy;**
17 (7) IC 35-42-5-2 (carjacking) (before its repeal);



1 (8) IC 35-47-2-1 (carrying a handgun without a license); if
2 ~~charged as a felony~~;
3 (9) IC 35-47-10 (children and firearms); if ~~charged as a felony~~; or
4 (10) any offense that may be joined under IC 35-34-1-9(a)(2) with
5 any crime listed in this subsection;
6 if the individual was at least sixteen (16) years of age but less than
7 eighteen (18) years of age at the time of the alleged violation.
8 (b) Once an individual described in subsection (a) has been charged
9 with any offense listed in subsection (a), the court having adult
10 criminal jurisdiction shall retain jurisdiction over the case if the
11 individual pleads guilty to or is convicted of any offense listed in
12 subsection (a)(1) through (a)(9).
13 (c) If:
14 (1) an individual described in subsection (a) is charged with one
15 (1) or more offenses listed in subsection (a);
16 (2) all the charges under subsection (a)(1) through (a)(9) resulted
17 in an acquittal or were dismissed; and
18 (3) the individual pleads guilty to or is convicted of any offense
19 other than an offense listed in subsection (a)(1) through (a)(9);
20 the court having adult criminal jurisdiction may withhold judgment and
21 transfer jurisdiction to the juvenile court for adjudication and
22 disposition. In determining whether to transfer jurisdiction to the
23 juvenile court for adjudication and disposition, the court having adult
24 criminal jurisdiction shall consider whether there are appropriate
25 services available in the juvenile justice system, whether the child is
26 amenable to rehabilitation under the juvenile justice system, and
27 whether it is in the best interests of the safety and welfare of the
28 community that the child be transferred to juvenile court. All orders
29 concerning release conditions remain in effect until a juvenile court
30 detention hearing, which must be held not later than forty-eight (48)
31 hours, excluding Saturdays, Sundays, and legal holidays, after the order
32 of transfer of jurisdiction.

