

HOUSE BILL No. 1059

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-37-2-2; IC 35-44.1-2; IC 35-45-2-5.

Synopsis: Delinquent acts. Provides that it is a delinquent act if a child leaves a specific location designated by the child's parent, guardian, or custodian. Expands the crime of false informing to include false reporting of an act that would be a crime if committed by an adult. Expands the crime of assisting a criminal to include assisting a person who committed an act that would be a crime if committed by an adult. Expands the crime of interference with the reporting of a crime to include giving false information in an investigation of an act that would be a crime if committed by an adult.

Effective: July 1, 2015.

Washburne

January 6, 2015, read first time and referred to Committee on Courts and Criminal Code.



First Regular Session of the 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1059



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 31-37-2-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. A child commits a
3 delinquent act if, before becoming eighteen (18) years of age, the child
4 leaves home **or a specific location previously designated by the**
5 **child's parent, guardian, or custodian:**
6 (1) without reasonable cause; and
7 (2) without permission of the parent, guardian, or custodian, who
8 requests the child's return.

9 SECTION 2. IC 35-44.1-2-3, AS AMENDED BY P.L.168-2014,
10 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2015]: Sec. 3. (a) As used in this section, "consumer product"
12 has the meaning set forth in IC 35-45-8-1.
13 (b) As used in this section, "misconduct" means a violation of a
14 departmental rule or procedure of a law enforcement agency.
15 (c) A person who reports, by telephone, telegraph, mail, or other



1 written or oral communication, that:

2 (1) the person or another person has placed or intends to place an
3 explosive, a destructive device, or other destructive substance in
4 a building or transportation facility;

5 (2) there has been or there will be tampering with a consumer
6 product introduced into commerce; or

7 (3) there has been or will be placed or introduced a weapon of
8 mass destruction in a building or a place of assembly;

9 knowing the report to be false, commits false reporting, a Level 6
10 felony.

11 (d) A person who:

12 (1) gives:

13 (A) a false report of the commission of a crime;

14 (B) **a false report of an act that would be a crime if**
15 **committed by an adult;**

16 (C) ~~or gives~~ false information in the official investigation of
17 the commission of a crime; **or**

18 (D) **false information in the official investigation of the**
19 **commission of an act that would be a crime if committed**
20 **by an adult;**

21 knowing the report or information to be false;

22 (2) gives a false alarm of fire to the fire department of a
23 governmental entity, knowing the alarm to be false;

24 (3) makes a false request for ambulance service to an ambulance
25 service provider, knowing the request to be false;

26 (4) gives a false report concerning a missing child (as defined in
27 IC 10-13-5-4) or missing endangered adult (as defined in
28 IC 12-7-2-131.3) or gives false information in the official
29 investigation of a missing child or missing endangered adult
30 knowing the report or information to be false;

31 (5) makes a complaint against a law enforcement officer to the
32 state or municipality (as defined in IC 8-1-13-3(b)) that employs
33 the officer:

34 (A) alleging the officer engaged in misconduct while
35 performing the officer's duties; and

36 (B) knowing the complaint to be false;

37 (6) makes a false report of a missing person, knowing the report
38 or information is false; or

39 (7) gives a false report of actions, behavior, or conditions
40 concerning a septic tank soil absorption system under
41 IC 8-1-2-125 or IC 13-26-5-2.5 knowing the report or information
42 to be false;



1 commits false informing, a Class B misdemeanor. However, the offense
 2 is a Class A misdemeanor if it substantially hinders any law
 3 enforcement process or if it results in harm to another person.

4 SECTION 3. IC 35-44.1-2-5, AS AMENDED BY P.L.158-2013,
 5 SECTION 504, IS AMENDED TO READ AS FOLLOWS
 6 [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) A person not standing in the
 7 relation of parent, child, or spouse to another person who: ~~has~~

8 (1) ~~has~~ committed a crime;

9 (2) ~~has committed an act that would be a crime if committed~~
 10 ~~by an adult~~; or

11 (3) is a fugitive from justice who;

12 with intent to hinder the apprehension or punishment of the other
 13 person, harbors, conceals, or otherwise assists the person commits
 14 assisting a criminal, a Class A misdemeanor, **except as provided in**
 15 **subsection (b).**

16 (b) ~~However~~, The offense **described in subsection (a)** is:

17 (1) a Level 6 felony, if the person assisted has committed a Class
 18 B, Class C, or Class D felony before July 1, 2014, or a Level 3,
 19 Level 4, Level 5, or Level 6 felony after June 30, 2014; and

20 (2) a Level 5 felony, if the person assisted has committed murder
 21 or has committed a Class A felony before July 1, 2014, or a Level
 22 1 or Level 2 felony after June 30, 2014, or if the assistance was
 23 providing a deadly weapon.

24 ~~(b)~~ (c) It is not a defense to a prosecution under this section that the
 25 person assisted:

26 (1) has not been prosecuted for the offense;

27 (2) has not been convicted of the offense; or

28 (3) has been acquitted of the offense by reason of insanity.

29 However, the acquittal of the person assisted for other reasons may be
 30 a defense.

31 SECTION 4. IC 35-45-2-5 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. A person who, with
 33 the intent to commit, conceal, or aid in the commission of a crime **or**
 34 **an act that would be a crime if committed by an adult**, knowingly
 35 or intentionally interferes with or prevents an individual from:

36 (1) using a 911 emergency telephone system;

37 (2) obtaining medical assistance; or

38 (3) making a report to a law enforcement officer;

39 commits interference with the reporting of a crime, a Class A
 40 misdemeanor.

