

HOUSE BILL No. 1216

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-42-2-9.

Synopsis: Strangulation elements and definition. Adds to the current strangulation statute a new element concerning application of pressure to a victim's torso. Defines "torso" for purposes of the statute. Makes the crime of strangulation a Level 5 felony if it is knowingly committed against a pregnant woman.

Effective: July 1, 2016.

Olthoff, Kirchhofer

January 11, 2016, read first time and referred to Committee on Courts and Criminal Code.



Second Regular Session of the 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

HOUSE BILL No. 1216

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 35-42-2-9, AS AMENDED BY P.L.158-2013,
2 SECTION 432, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2016]: Sec. 9. (a) This section does not apply
4 to a medical procedure.

5 **(b) As used in this section, "torso" means any part of the upper**
6 **body from the collarbone to the hips.**

7 ~~(b)~~ **(c)** A person who, in a rude, angry, or insolent manner,
8 knowingly or intentionally:

- 9 (1) applies pressure to the throat or neck of another person; **or**
- 10 (2) obstructs the nose or mouth of the another person; **or**

11 **(3) applies pressure to the torso of another person;**
12 in a manner that impedes the normal breathing or the blood circulation
13 of the other person commits strangulation, a Level 6 felony.

14 **(d) However, the offense under subsection (c) is a Level 5 felony**
15 **if:**

- 16 **(1) the offense is committed against a pregnant woman; and**
- 17 **(2) the person who committed the offense knew the victim was**



1 **pregnant at the time of the offense.**

