



February 12, 2016

ENGROSSED
SENATE BILL No. 17

DIGEST OF SB 17 (Updated February 10, 2016 2:25 pm - DI 69)

Citations Affected: IC 33-37.

Synopsis: Child abuse prevention fee and domestic violence prevention and treatment fee. Adds the offense of strangulation to the list of offenses requiring payment of the child abuse prevention fee and the domestic violence prevention and treatment fee.

Effective: July 1, 2016.

Head, Steele, Broden,
Randolph Lonnie M
(HOUSE SPONSOR — MCNAMARA)

January 5, 2016, read first time and referred to Committee on Judiciary.
January 21, 2016, reported favorably — Do Pass.
January 25, 2016, read second time, amended, ordered engrossed.
January 26, 2016, engrossed. Read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

February 8, 2016, read first time and referred to Committee on Courts and Criminal Code.
February 11, 2016, reported — Do Pass.

ES 17—LS 6012/DI 123



February 12, 2016

Second Regular Session 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.

ENGROSSED SENATE BILL No. 17

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

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

- 1 SECTION 1. IC 33-37-5-12, AS AMENDED BY P.L.214-2013,
2 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2016]: Sec. 12. The court shall order a person to pay a child
4 abuse prevention fee of one hundred dollars (\$100) to the clerk in each
5 criminal action in which:
6 (1) the person is found to have committed the offense of:
7 (A) murder (IC 35-42-1-1);
8 (B) causing suicide (IC 35-42-1-2);
9 (C) voluntary manslaughter (IC 35-42-1-3);
10 (D) reckless homicide (IC 35-42-1-5);
11 (E) battery (IC 35-42-2-1);
12 **(F) strangulation (IC 35-42-2-9);**
13 ~~(G)~~ (G) rape (IC 35-42-4-1);
14 ~~(H)~~ (H) criminal deviate conduct (IC 35-42-4-2) (repealed);
15 ~~(I)~~ (I) child molesting (IC 35-42-4-3);
16 ~~(J)~~ (J) child exploitation (IC 35-42-4-4);
17 ~~(K)~~ (K) vicarious sexual gratification (IC 35-42-4-5);

ES 17—LS 6012/DI 123



- 1 ~~(K)~~ **(L)** child solicitation (IC 35-42-4-6);
 2 ~~(L)~~ **(M)** incest (IC 35-46-1-3);
 3 ~~(M)~~ **(N)** neglect of a dependent (IC 35-46-1-4);
 4 ~~(N)~~ **(O)** child selling (IC 35-46-1-4); or
 5 ~~(O)~~ **(P)** child seduction (IC 35-42-4-7); and
 6 (2) the victim of the offense is less than eighteen (18) years of
 7 age.
- 8 SECTION 2. IC 33-37-5-13 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 13. The court shall
 10 order a person to pay a domestic violence prevention and treatment fee
 11 of fifty dollars (\$50) to the clerk in each criminal action in which:
 12 (1) the person is found to have committed the offense of:
 13 (A) murder (IC 35-42-1-1);
 14 (B) causing suicide (IC 35-42-1-2);
 15 (C) voluntary manslaughter (IC 35-42-1-3);
 16 (D) reckless homicide (IC 35-42-1-5);
 17 (E) battery (IC 35-42-2-1);
 18 (F) domestic battery (IC 35-42-2-1.3); ~~or~~
 19 **(G) strangulation (IC 35-42-2-9); or**
 20 ~~(G)~~ **(H)** rape (IC 35-42-4-1); and
 21 (2) the victim:
 22 (A) is a spouse or former spouse of the person who committed
 23 an offense under subdivision (1);
 24 (B) is or was living as if a spouse of the person who committed
 25 the offense of domestic battery under subdivision (1)(F); or
 26 (C) has a child in common with the person who committed the
 27 offense of domestic battery under subdivision (1)(F).



COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 17, 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 17 as introduced.)

STEELE, Chairperson

Committee Vote: Yeas 6, Nays 0

 SENATE MOTION

Madam President: I move that Senate Bill 17 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 33-37-5-12, AS AMENDED BY P.L.214-2013, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 12. The court shall order a person to pay a child abuse prevention fee of one hundred dollars (\$100) to the clerk in each criminal action in which:

(1) the person is found to have committed the offense of:

- (A) murder (IC 35-42-1-1);
- (B) causing suicide (IC 35-42-1-2);
- (C) voluntary manslaughter (IC 35-42-1-3);
- (D) reckless homicide (IC 35-42-1-5);
- (E) battery (IC 35-42-2-1);
- (F) strangulation (IC 35-42-2-9);**
- ~~(G)~~ **(G)** rape (IC 35-42-4-1);
- ~~(H)~~ **(H)** criminal deviate conduct (IC 35-42-4-2) (repealed);
- ~~(I)~~ **(I)** child molesting (IC 35-42-4-3);
- ~~(J)~~ **(J)** child exploitation (IC 35-42-4-4);
- ~~(K)~~ **(K)** vicarious sexual gratification (IC 35-42-4-5);
- ~~(L)~~ **(L)** child solicitation (IC 35-42-4-6);
- ~~(M)~~ **(M)** incest (IC 35-46-1-3);
- ~~(N)~~ **(N)** neglect of a dependent (IC 35-46-1-4);
- ~~(O)~~ **(O)** child selling (IC 35-46-1-4); or



~~(P)~~ (P) child seduction (IC 35-42-4-7); and
(2) the victim of the offense is less than eighteen (18) years of
age."

Renumber all SECTIONS consecutively.

(Reference is to SB 17 as printed January 22, 2016.)

HEAD

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to
which was referred Senate Bill 17, has had the same under
consideration and begs leave to report the same back to the House with
the recommendation that said bill do pass.

(Reference is to SB 17 as reprinted January 26, 2016.)

WASHBURN

Committee Vote: Yeas 9, Nays 0

