

SENATE BILL No. 146

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-44.1-2-3.

Synopsis: False informing. Makes false informing a Level 6 felony (instead of a Class B misdemeanor or a Class A misdemeanor) if the person who committed the offense has a prior unrelated conviction for: (1) false informing; or (2) false reporting. Reconciles technical and substantive conflicts between HEA 1006-2013 (the criminal code revision bill) and other bills concerning criminal law.

Effective: July 1, 2014.

Crider

January 8, 2014, read first time and referred to Committee on Corrections & Criminal Law.



Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

SENATE BILL No. 146



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 35-44.1-2-3, AS AMENDED BY P.L.292-2013,
2 SECTION 11, AND AS AMENDED BY P.L.158-2013, SECTION 503
3 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2014]: Sec. 3. (a) As used in this section,
5 "consumer product" has the meaning set forth in IC 35-45-8-1.
6 (b) As used in this section, "misconduct" means a violation of a
7 departmental rule or procedure of a law enforcement agency.
8 (c) A person who reports, by telephone, telegraph, mail, or other
9 written or oral communication, that:
10 (1) the person or another person has placed or intends to place an
11 explosive, a destructive device, or other destructive substance in
12 a building or transportation facility;
13 (2) there has been or there will be tampering with a consumer
14 product introduced into commerce; or
15 (3) there has been or will be placed or introduced a weapon of
16 mass destruction in a building or a place of assembly;



1 knowing the report to be false, commits false reporting, a ~~Class D~~ Level
 2 6 felony.

3 (d) A person who:

4 (1) gives a false report of the commission of a crime or gives false
 5 information in the official investigation of the commission of a
 6 crime, knowing the report or information to be false;

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

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

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

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

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

21 (B) knowing the complaint to be false; ~~or~~

22 (6) makes a false report of a missing person, knowing the report
 23 or information is false; *or*

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

28 commits false informing, a Class B misdemeanor. However, the offense
 29 is a Class A misdemeanor if it substantially hinders any law
 30 enforcement process or if it results in harm to ~~an innocent~~ another
 31 person **and a Level 6 felony if the person has a prior unrelated**
 32 **conviction for an offense under this subsection or subsection (c).**

