



January 27, 2017

SENATE BILL No. 170

DIGEST OF SB 170 (Updated January 25, 2017 12:57 pm - DI 106)

Citations Affected: IC 31-30.

Synopsis: Pharmacy robbery. Provides that a juvenile court does not have jurisdiction over certain juveniles who commit robbery of a pharmacy, if: (1) the juvenile committed the robbery with the intent to obtain a prescription drug; and (2) the juvenile stated, indicated, or implied that the juvenile was armed with a deadly weapon.

Effective: July 1, 2017.

Young M

January 4, 2017, read first time and referred to Committee on Judiciary.
January 26, 2017, amended, reported favorably — Do Pass.

SB 170—LS 6506/DI 125



January 27, 2017

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, if the individual:**
17 **(i) committed the robbery with the intent to obtain a**

SB 170—LS 6506/DI 125



1 **prescription drug; and**
 2 **(ii) stated, indicated, or implied, by word or action, that**
 3 **the person was armed with a deadly weapon;**
 4 (7) IC 35-42-5-2 (carjacking) (before its repeal);
 5 (8) IC 35-47-2-1 (carrying a handgun without a license), if
 6 charged as a felony;
 7 (9) IC 35-47-10 (children and firearms), if charged as a felony; or
 8 (10) any offense that may be joined under IC 35-34-1-9(a)(2) with
 9 any crime listed in this subsection;
 10 if the individual was at least sixteen (16) years of age but less than
 11 eighteen (18) years of age at the time of the alleged violation.
 12 (b) Once an individual described in subsection (a) has been charged
 13 with any offense listed in subsection (a), the court having adult
 14 criminal jurisdiction shall retain jurisdiction over the case if the
 15 individual pleads guilty to or is convicted of any offense listed in
 16 subsection (a)(1) through (a)(9).
 17 (c) If:
 18 (1) an individual described in subsection (a) is charged with one
 19 (1) or more offenses listed in subsection (a);
 20 (2) all the charges under subsection (a)(1) through (a)(9) resulted
 21 in an acquittal or were dismissed; and
 22 (3) the individual pleads guilty to or is convicted of any offense
 23 other than an offense listed in subsection (a)(1) through (a)(9);
 24 the court having adult criminal jurisdiction may withhold judgment and
 25 transfer jurisdiction to the juvenile court for adjudication and
 26 disposition. In determining whether to transfer jurisdiction to the
 27 juvenile court for adjudication and disposition, the court having adult
 28 criminal jurisdiction shall consider whether there are appropriate
 29 services available in the juvenile justice system, whether the child is
 30 amenable to rehabilitation under the juvenile justice system, and
 31 whether it is in the best interests of the safety and welfare of the
 32 community that the child be transferred to juvenile court. All orders
 33 concerning release conditions remain in effect until a juvenile court
 34 detention hearing, which must be held not later than forty-eight (48)
 35 hours, excluding Saturdays, Sundays, and legal holidays, after the order
 36 of transfer of jurisdiction.



COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 170, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 16, delete "pharmacy;" and insert "**pharmacy, if the individual:**

(i) committed the robbery with the intent to obtain a prescription drug; and

(ii) stated, indicated, or implied, by word or action, that the person was armed with a deadly weapon;".

Page 2, line 1, delete "license);" and insert "license),".

Page 2, line 1, reset in roman "if".

Page 2, reset in roman line 2.

Page 2, line 3, delete "firearms);" and insert "firearms),".

Page 2, line 3, reset in roman "if charged as a felony;".

and when so amended that said bill do pass.

(Reference is to SB 170 as introduced.)

BRAY, Chairperson

Committee Vote: Yeas 6, Nays 4.

