



SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 170 be amended to read as follows:

- 1 Page 2, after line 36, begin a new paragraph and insert:
- 2 "SECTION 2. IC 35-46-1-8, AS AMENDED BY P.L.158-2013,
- 3 SECTION 554, IS AMENDED TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2017]: Sec. 8. (a) A person at least eighteen
- 5 (18) years of age who knowingly or intentionally encourages, aids,
- 6 induces, or causes a person less than eighteen (18) years of age to
- 7 commit an act of delinquency (as defined by IC 31-37-1 or IC 31-37-2)
- 8 commits contributing to delinquency, a Class A misdemeanor.
- 9 (b) However, the offense described in subsection (a) is:
- 10 (1) a Level 5 felony if:
- 11 (A) the person committing the offense is at least twenty-one
- 12 (21) years of age and knowingly or intentionally furnishes:
- 13 (i) an alcoholic beverage to a person less than eighteen (18)
- 14 years of age in violation of IC 7.1-5-7-8 when the person
- 15 committing the offense knew or reasonably should have
- 16 known that the person furnished the alcoholic beverage was
- 17 less than eighteen (18) years of age; or
- 18 (ii) a controlled substance (as defined in IC 35-48-1-9) or a
- 19 drug (as defined in IC 9-13-2-49.1) in violation of Indiana
- 20 law; and
- 21 (B) the consumption, ingestion, or use of the alcoholic
- 22 beverage, controlled substance, or drug is the proximate cause
- 23 of the death of any person; ~~and~~
- 24 (2) a ~~Level 6~~ **Level 5** felony if the person committing the offense
- 25 knowingly or intentionally encourages, aids, induces, or causes a
- 26 person less than eighteen (18) years of age to commit an act that
- 27 would be a **Level 6** felony if committed by an adult; ~~under any of~~

the following:

- (A) ~~IC 35-48-4-1.~~
- (B) ~~IC 35-48-4-1.1.~~
- (C) ~~IC 35-48-4-2.~~
- (D) ~~IC 35-48-4-3.~~
- (E) ~~IC 35-48-4-4.~~
- (F) ~~IC 35-48-4-4.5.~~
- (G) ~~IC 35-48-4-4.6.~~
- (H) ~~IC 35-48-4-5.~~

(3) a Level 4 felony if the person committing the offense knowingly or intentionally encourages, aids, induces, or causes a person less than eighteen (18) years of age to commit an act that would be a Level 5 felony if committed by an adult;

(4) a Level 3 felony if the person committing the offense knowingly or intentionally encourages, aids, induces, or causes a person less than eighteen (18) years of age to commit an act that would be a Level 4 felony if committed by an adult;

(5) a Level 2 felony if the person committing the offense knowingly or intentionally encourages, aids, induces, or causes a person less than eighteen (18) years of age to commit an act that would be a Level 3 felony if committed by an adult;

(6) a Level 1 felony if the person committing the offense knowingly or intentionally encourages, aids, induces, or causes a person less than eighteen (18) years of age to commit an act that would be a Level 1 or 2 felony if committed by an adult; or

(7) punishable under IC 35-50-2-3(a) (penalty for murder) if the person committing the offense knowingly or intentionally encourages, aids, induces, or causes a person less than eighteen (18) years of age to commit an act that would be murder if committed by an adult."

Renumber all SECTIONS consecutively.

(Reference is to SB 170 as printed January 27, 2017.)

Senator KOCH