



# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 209 be amended to read as follows:

- 1 Page 2, between lines 41 and 42, begin a new paragraph and insert:  
2 "SECTION 4. IC 31-37-2-8 IS ADDED TO THE INDIANA CODE  
3 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**  
4 **1, 2022]: Sec. 8. A child commits a delinquent act if, before**  
5 **becoming eighteen (18) years of age, the child violates**  
6 **IC 35-48-4-11.2 concerning marijuana possession or**  
7 **consumption."**
- 8 Page 21, after line 9, begin a new paragraph and insert:  
9 "SECTION 9. IC 35-48-4-11, AS AMENDED BY P.L.153-2018,  
10 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
11 JULY 1, 2022]: Sec. 11. (a) A person who:  
12 (1) knowingly or intentionally possesses (pure or adulterated):  
13 (A) **more than two (2) ounces of** marijuana;  
14 (B) hash oil;  
15 (C) hashish; or  
16 (D) salvia;  
17 (2) knowingly or intentionally grows or cultivates marijuana; or  
18 (3) knowing that marijuana is growing on the person's premises,  
19 fails to destroy the marijuana plants;  
20 commits possession of marijuana, hash oil, hashish, or salvia, a Class  
21 B misdemeanor, except as provided in ~~subsections~~ **subsection (b).**  
22 ~~through (c).~~  
23 (b) The offense described in subsection (a) is a Class A  
24 misdemeanor if:  
25 (1) the person has a prior conviction for a drug offense; or  
26 (2) the:  
27 (A) marijuana, hash oil, hashish, or salvia is packaged in a

1 manner that appears to be low THC hemp extract; and  
 2 (B) person knew or reasonably should have known that the  
 3 product was marijuana, hash oil, hashish, or salvia.  
 4 (c) The offense described in subsection (a) is a Level 6 felony if:  
 5 (1) the person has a prior conviction for a drug offense; and  
 6 (2) the person possesses:  
 7 (A) at least thirty (30) grams of marijuana; or  
 8 (B) at least five (5) grams of hash oil, hashish, or salvia.  
 9 SECTION 10. IC 35-48-4-11.2 IS ADDED TO THE INDIANA  
 10 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 11 [EFFECTIVE JULY 1, 2022]: **Sec. 11.2. (a) A minor who knowingly**  
 12 **or intentionally:**  
 13 (1) possesses marijuana; or  
 14 (2) consumes marijuana;  
 15 **commits a Class C misdemeanor and commits a delinquent act**  
 16 **under IC 31-37-2.**  
 17 (b) **If a minor is found to have violated subsection (a) while**  
 18 **operating a motor vehicle, the court may order the minor's driving**  
 19 **privileges suspended for up to one (1) year. However, the court**  
 20 **shall order the minor's driving privileges suspended for at least**  
 21 **sixty (60) days.**  
 22 (c) **The court shall deliver any order suspending a minor's**  
 23 **driving privileges under this section to the bureau of motor**  
 24 **vehicles, which shall suspend the minor's driving privileges under**  
 25 **IC 9-24-18-12.2 for the period ordered by the court."**  
 26 Renumber all SECTIONS consecutively.  
 (Reference is to SB 209 as reprinted January 25, 2022.)

---

Senator FORD J.D.