

# SENATE BILL No. 279

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 31-30-3-4.

**Synopsis:** Waiver to adult court for attempted murder. Provides that the juvenile court shall waive jurisdiction if it finds that: (1) the child is charged with an act that would be murder or attempted murder if committed by an adult; (2) there is probable cause to believe that the child has committed the act; and (3) the child was at least 12 years of age when the act charged was allegedly committed; unless it would be in the best interests of the child and of the safety and welfare of the community for the child to remain within the juvenile justice system.

**Effective:** July 1, 2019.

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January 7, 2019, read first time and referred to Committee on Corrections and Criminal Law.

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First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

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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 31-30-3-4, AS AMENDED BY P.L.187-2015,  
2           SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3           JULY 1, 2019]: Sec. 4. Upon motion of the prosecuting attorney and  
4           after full investigation and hearing, the juvenile court shall waive  
5           jurisdiction if it finds that:  
6                 (1) the child is charged with an act that would be murder **or**  
7                 **attempted murder** if committed by an adult;  
8                 (2) there is probable cause to believe that the child has committed  
9                 the act; and  
10                (3) the child was at least twelve (12) years of age when the act  
11                charged was allegedly committed;  
12           unless it would be in the best interests of the child and of the safety and  
13           welfare of the community for the child to remain within the juvenile  
14           justice system.

