



PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1186 be amended to read as follows:

- 1 Page 20, after line 42, begin a new paragraph and insert:
- 2 "SECTION 12. IC 35-44.1-3-1, AS AMENDED BY P.L.141-2024,
- 3 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2025]: Sec. 1. (a) A person who knowingly or intentionally:
- 5 (1) forcibly resists, obstructs, or interferes with a law enforcement
- 6 officer or a person assisting the officer while the officer is
- 7 lawfully engaged in the execution of the officer's duties;
- 8 (2) forcibly resists, obstructs, or interferes with the authorized
- 9 service or execution of a civil or criminal process or order of a
- 10 court; or
- 11 (3) flees from a law enforcement officer after the officer has, by
- 12 visible or audible means, including operation of the law
- 13 enforcement officer's siren or emergency lights, identified himself
- 14 or herself and ordered the person to stop;
- 15 commits resisting law enforcement, a Class A misdemeanor, except as
- 16 provided in subsection (c).
- 17 (b) A person who, having been denied entry by a firefighter, an
- 18 emergency medical services provider, or a law enforcement officer,
- 19 knowingly or intentionally enters an area that is marked off with barrier
- 20 tape or other physical barriers, commits interfering with public safety,
- 21 a Class B misdemeanor, except as provided in subsection (c) or ~~(k)~~: **(j)**.

- 1 (c) The offense under subsection (a) or (b) is a:  
2 (1) Level 6 felony if:  
3 (A) the person uses a vehicle to commit the offense; or  
4 (B) while committing the offense, the person:  
5 (i) draws or uses a deadly weapon;  
6 (ii) inflicts bodily injury on or otherwise causes bodily injury  
7 to another person; or  
8 (iii) operates a vehicle in a manner that creates a substantial  
9 risk of bodily injury to another person;  
10 (2) Level 5 felony if:  
11 (A) while committing the offense, the person operates a  
12 vehicle in a manner that causes serious bodily injury to another  
13 person; or  
14 (B) the person uses a vehicle to commit the offense and the  
15 person has a prior unrelated conviction under this section  
16 involving the use of a vehicle in the commission of the  
17 offense;  
18 (3) Level 3 felony if, while committing the offense, the person  
19 operates a vehicle in a manner that causes the death or  
20 catastrophic injury of another person; and  
21 (4) Level 2 felony if, while committing any offense described in  
22 subsection (a), the person operates a vehicle in a manner that  
23 causes the death or catastrophic injury of a firefighter, an  
24 emergency medical services provider, or a law enforcement  
25 officer while the firefighter, emergency medical services provider,  
26 or law enforcement officer is engaged in the firefighter's,  
27 emergency medical services provider's, or officer's official duties.  
28 (d) The offense under subsection (a) is a Level 6 felony if, while  
29 committing an offense under:  
30 (1) subsection (a)(1) or (a)(2), the person:  
31 (A) creates a substantial risk of bodily injury to the person or  
32 another person; and  
33 (B) has two (2) or more prior unrelated convictions under  
34 subsection (a); or  
35 (2) subsection (a)(3), the person has two (2) or more prior  
36 unrelated convictions under subsection (a).  
37 (e) If a person uses a vehicle to commit a felony offense under  
38 subsection (c)(1)(B), (c)(2), (c)(3), or (c)(4), as part of the criminal  
39 penalty imposed for the offense, the court shall impose a minimum  
40 executed sentence of at least:  
41 (1) thirty (30) days, if the person does not have a prior unrelated  
42 conviction under this section;  
43 (2) one hundred eighty (180) days, if the person has one (1) prior  
44 unrelated conviction under this section; or  
45 (3) one (1) year, if the person has two (2) or more prior unrelated  
46 convictions under this section.

1 (f) Notwithstanding IC 35-50-2-2.2 and IC 35-50-3-1, the mandatory  
 2 minimum sentence imposed under subsection (e) may not be  
 3 suspended.

4 (g) If a person is convicted of an offense involving the use of a  
 5 motor vehicle under:

6 (1) subsection (c)(1)(A), if the person exceeded the speed limit by  
 7 at least twenty (20) miles per hour while committing the offense;

8 (2) subsection (c)(2); or

9 (3) subsection (c)(3);

10 the court may notify the bureau of motor vehicles to suspend or revoke  
 11 the person's driver's license in accordance with IC 9-30-4-6.1(b) for the  
 12 period described in IC 9-30-4-6.1(d)(1) or IC 9-30-4-6.1(d)(2). The  
 13 court shall inform the bureau whether the person has been sentenced  
 14 to a term of incarceration. At the time of conviction, the court may  
 15 obtain the person's current driver's license and return the license to the  
 16 bureau of motor vehicles.

17 ~~(h) A person may not be charged or convicted of a crime under~~  
 18 ~~subsection (a)(3) if the law enforcement officer is a school resource~~  
 19 ~~officer acting in the officer's capacity as a school resource officer.~~

20 ~~(i)~~ (h) A person who commits an offense described in subsection (c)  
 21 commits a separate offense for each person whose bodily injury,  
 22 serious bodily injury, catastrophic injury, or death is caused by a  
 23 violation of subsection (c).

24 ~~(j)~~ (i) A court may order terms of imprisonment imposed on a  
 25 person convicted of more than one (1) offense described in subsection  
 26 (c) to run consecutively. Consecutive terms of imprisonment imposed  
 27 under this subsection are not subject to the sentencing restrictions set  
 28 forth in IC 35-50-1-2(c) through IC 35-50-1-2(d).

29 ~~(k)~~ (j) As used in this subsection, "family member" means a child,  
 30 grandchild, parent, grandparent, or spouse of the person. It is a defense  
 31 to a prosecution under subsection (b) that the person reasonably  
 32 believed that the person's family member:

33 (1) was in the marked off area; and

34 (2) had suffered bodily injury or was at risk of suffering bodily  
 35 injury;

36 if the person is not charged as a defendant in connection with the  
 37 offense, if applicable, that caused the area to be secured by barrier tape  
 38 or other physical barriers."

39 Renumber all SECTIONS consecutively.

(Reference is to HB 1186 as printed February 13, 2025.)

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Representative Bartels