

HB 384 -- Crime

Sponsor: Lipke

This bill changes the laws regarding crime. In its main provisions, the bill:

(1) Removes the provision that requires the prosecuting attorney to appear in behalf of the Director of the Department of Revenue in circuit court cases or hearings reviewing administrative decisions regarding alcohol-related traffic offenses;

(2) Creates the crime of failure to appear if the person knowingly fails to appear before any court or judicial officer as required. Failure to appear will be a class D felony if the criminal matter for which the person was released included a felony, a class A misdemeanor if the criminal matter includes a misdemeanor, or an infraction if the criminal matter includes only an infraction or a violation of a municipal ordinance;

(3) Allows a change of venue petition to be ordered in any criminal proceeding if the inhabitants of the county are prejudiced against the defendant or the state has an undue influence over the inhabitants of the county and specifies the procedures for filing an application for a change of venue;

(4) Specifies that any person who attempts to harbor or conceal a person; attempts to warn the person; attempts to provide the person with money, transportation, weapon, disguise, or other means of aid; or attempts to prevent or obstruct anyone from performing an act that might aid in the discovery or apprehension of the person will be guilty of the crime of hindering prosecution;

(5) Expands the crime of tampering with physical evidence to include attempts to alter, destroy, suppress, or conceal evidence in any potential investigation that could result in an official proceeding and specifies that tampering with physical evidence will be a class D felony if the actor intends to impair or obstruct the prosecution or defense of a felony;

(6) Expands the crime of resisting or interfering with arrest, detention, or stop to include arrests on warrants issued for probation or parole warrants and arrests on capias warrants or bench warrants issued by federal, state, or municipal judges. Any person violating these provisions will be guilty of a class D felony;

(7) Expands the crime of tampering with a judicial proceeding to include influencing the official action of a state prosecuting or

circuit attorney; and

(8) Repeals provisions regarding owning a hedge fence situated along the right-of-way of any public road and certain provisions regarding the payment of costs in criminal cases.