HOUSE ENROLLED ACT No. 1104

AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 35-31.5-2-9.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9.5. "Adulterant", for purposes of IC 35-43-5, has the meaning set forth in IC 35-43-5-19.5(a).

SECTION 2. IC 35-31.5-2-224, AS AMENDED BY P.L.185-2013, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 224. (a) "Owner", for purposes of IC 35-43-1-3, has the meaning set forth in IC 35-43-1-3(a).
(b) "Owner", for purposes of IC 35-48-3, has the meaning set forth in IC 35-48-3-1.5.
(c) "Owner", for purposes of IC 35-49, has the meaning set forth in IC 35-49-1.6.
(d) "Owner", for purposes of IC 35-43-5-19.5, means any person with an ownership interest or right to profit in a business.

SECTION 3. IC 35-31.5-2-322.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 322.5. "Synthetic urine", for purposes of IC 35-43-5, has the meaning set forth in IC 35-43-5-19.5(b).

SECTION 4. IC 35-43-5-19.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
Sec. 19.5. (a) As used in this section, "adulterant" means any substance that is designed to be added to human urine for the purpose of defrauding an alcohol, drug, or urine screening test.

(b) As used in this section, "synthetic urine" means any substance that is designed to simulate the:

1. composition;
2. chemical properties;
3. physical appearance; or
4. physical properties;

of human urine for the purpose of defrauding an alcohol, drug, or urine screening test.

(c) An owner who knowingly or intentionally distributes, keeps, offers for sale, sells, delivers, or finances the delivery of:

1. an adulterant; or
2. synthetic urine;

with the intent to defraud or assist an individual in defrauding an alcohol, drug, or urine screening test commits a Class B misdemeanor. However, the offense is a Class A misdemeanor if the person has a prior unrelated conviction under this section.