



# SENATE MOTION

**MR. PRESIDENT:**

**I move** that Engrossed House Bill 1303 be amended to read as follows:

- 1           Page 2, delete lines 7 through 42, begin a new paragraph and insert:  
2           "SECTION 2. IC 10-13-3-27, AS AMENDED BY P.L.218-2025,  
3           SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4           JULY 1, 2026]: Sec. 27. (a) Except as provided in subsection (b), on  
5           request, a law enforcement agency shall release a limited criminal  
6           history to or allow inspection of a limited criminal history by  
7           noncriminal justice organizations or individuals only if the subject of  
8           the request:  
9           (1) has applied for employment with a noncriminal justice  
10           organization or individual;  
11           (2) has:  
12           (A) applied for a license or is maintaining a license; and  
13           (B) provided criminal history data as required by law to be  
14           provided in connection with the license;  
15           (3) is a candidate for public office or a public official;  
16           (4) is in the process of being apprehended by a law enforcement  
17           agency;  
18           (5) is placed under arrest for the alleged commission of a crime;  
19           (6) has charged that the subject's rights have been abused  
20           repeatedly by criminal justice agencies;  
21           (7) is the subject of a judicial decision or determination with  
22           respect to the setting of bond, plea bargaining, sentencing, or  
23           probation;  
24           (8) has volunteered services that involve contact with, care of, or  
25           supervision over a child who is being placed, matched, or  
26           monitored by a social services agency or a nonprofit corporation;

- 1 (9) is currently residing in a location designated by the  
 2 department of child services (established by IC 31-25-1-1) or by  
 3 a juvenile court as the out-of-home placement for a child at the  
 4 time the child will reside in the location;
- 5 (10) has volunteered services at a public school (as defined in  
 6 IC 20-18-2-15) or nonpublic school (as defined in IC 20-18-2-12)  
 7 that involve contact with, care of, or supervision over a student  
 8 enrolled in the school;
- 9 (11) is being investigated for welfare fraud by an investigator of  
 10 the division of family resources or a county office of the division  
 11 of family resources;
- 12 (12) is being sought by the parent locator service of the child  
 13 support bureau of the department of child services;
- 14 (13) is or was required to register as a sex or violent offender  
 15 under IC 11-8-8;
- 16 (14) has been convicted of any of the following:
- 17 (A) Rape (IC 35-42-4-1), if the victim is less than eighteen  
 18 (18) years of age.
- 19 (B) Criminal deviate conduct (IC 35-42-4-2) (repealed), if the  
 20 victim is less than eighteen (18) years of age.
- 21 (C) Child molesting (IC 35-42-4-3).
- 22 (D) Child exploitation (~~IC 35-42-4-4(b) or IC 35-42-4-4(c)~~);  
 23 **(IC 35-42-4-4)**.
- 24 (E) Possession of child sex abuse material (IC 35-42-4-4(d) or  
 25 IC 35-42-4-4(e)) **(before July 1, 2026), or a child sex abuse**  
 26 **material offense described in IC 35-42-4-4.5 (after June 30,**  
 27 **2026)**.
- 28 (F) Vicarious sexual gratification (IC 35-42-4-5).
- 29 (G) Child solicitation (IC 35-42-4-6).
- 30 (H) Child seduction (IC 35-42-4-7).
- 31 (I) Sexual misconduct with a minor as a felony (IC 35-42-4-9).
- 32 **(J) Sex with a minor (IC 35-42-4-9.5)**.
- 33 ~~(K)~~ **(K)** Incest (IC 35-46-1-3), if the victim is less than eighteen  
 34 (18) years of age;
- 35 (15) is identified as a possible perpetrator of child abuse or  
 36 neglect in an assessment conducted by the department of child  
 37 services under IC 31-33-8; or
- 38 (16) is:
- 39 (A) a parent, guardian, or custodian of a child; or
- 40 (B) an individual who is at least eighteen (18) years of age and  
 41 resides in the home of the parent, guardian, or custodian;  
 42 with whom the department of child services or a county probation  
 43 department has a case plan, dispositional decree, or permanency  
 44 plan approved under IC 31-34 or IC 31-37 that provides for  
 45 reunification following an out-of-home placement.
- 46 However, limited criminal history information obtained from the

1 National Crime Information Center may not be released under this  
 2 section except to the extent permitted by the Attorney General of the  
 3 United States.

4 (b) A law enforcement agency shall allow inspection of a limited  
 5 criminal history by and release a limited criminal history to the  
 6 following noncriminal justice organizations:

7 (1) Federally chartered or insured banking institutions.

8 (2) Officials of state and local government for any of the  
 9 following purposes:

10 (A) Employment with a state or local governmental entity.

11 (B) Licensing.

12 (3) Segments of the securities industry identified under 15 U.S.C.  
 13 78q(f)(2).

14 (c) Any person who knowingly or intentionally uses limited criminal  
 15 history for any purpose not specified under this section commits a  
 16 Class C infraction. However, the violation is a Class A misdemeanor  
 17 if the person has a prior unrelated adjudication or conviction for a  
 18 violation of this section within the previous five (5) years."

19 Delete page 3.

20 Page 4, delete lines 1 through 10.

21 Page 8, delete lines 11 through 42, begin a new paragraph and  
 22 insert:

23 "SECTION 9. IC 11-8-8-4.5, AS AMENDED BY P.L.218-2025,  
 24 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2026]: Sec. 4.5. (a) Except as provided in section 22 of this  
 26 chapter, as used in this chapter, "sex offender" means a person  
 27 convicted of any of the following offenses:

28 (1) Rape (IC 35-42-4-1).

29 (2) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).

30 (3) Child molesting (IC 35-42-4-3).

31 (4) Child exploitation (~~IC 35-42-4-4(b) or IC 35-42-4-4(c)~~);  
 32 **(IC 35-42-4-4).**

33 (5) Vicarious sexual gratification (including performing sexual  
 34 conduct in the presence of a minor) (IC 35-42-4-5).

35 (6) Child solicitation (IC 35-42-4-6).

36 (7) Child seduction (IC 35-42-4-7).

37 (8) Sexual misconduct with a minor (IC 35-42-4-9) as a Class A,  
 38 Class B, or Class C felony (for a crime committed before July 1,  
 39 2014) or a Level 1, Level 2, Level 4, or Level 5 felony (for a  
 40 crime committed after June 30, 2014), unless:

41 (A) the person is convicted of sexual misconduct with a minor  
 42 as a Class C felony (for a crime committed before July 1,  
 43 2014) or a Level 5 felony (for a crime committed after June  
 44 30, 2014);

45 (B) the person is not more than:

46 (i) four (4) years older than the victim if the offense was

- 1 committed after June 30, 2007; or  
 2 (ii) five (5) years older than the victim if the offense was  
 3 committed before July 1, 2007; and  
 4 (C) the sentencing court finds that the person should not be  
 5 required to register as a sex offender.
- 6 (9) Incest (IC 35-46-1-3).  
 7 (10) Sexual battery (IC 35-42-4-8).  
 8 (11) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen  
 9 (18) years of age, and the person who kidnapped the victim is not  
 10 the victim's parent or guardian.  
 11 (12) Criminal confinement (IC 35-42-3-3), if the victim is less  
 12 than eighteen (18) years of age, and the person who confined or  
 13 removed the victim is not the victim's parent or guardian.  
 14 (13) Possession of child sex abuse material (IC 35-42-4-4(d) or  
 15 IC 35-42-4-4(e)) **(before July 1, 2026), or a child sex abuse**  
 16 **material offense under IC 35-42-4-4.5 (after June 30, 2026).**  
 17 (14) Promoting prostitution (IC 35-45-4-4) as a Class B felony  
 18 (for a crime committed before July 1, 2014) or a Level 4 felony  
 19 (for a crime committed after June 30, 2014).  
 20 (15) Promotion of human sexual trafficking under  
 21 IC 35-42-3.5-1.1.  
 22 (16) Promotion of child sexual trafficking under  
 23 IC 35-42-3.5-1.2(a).  
 24 (17) Promotion of sexual trafficking of a younger child  
 25 (IC 35-42-3.5-1.2(c)).  
 26 (18) Child sexual trafficking (IC 35-42-3.5-1.3).  
 27 (19) Human trafficking under IC 35-42-3.5-1.4 if the victim is  
 28 less than eighteen (18) years of age.  
 29 (20) Sexual misconduct by a service provider with a detained or  
 30 supervised child (IC 35-44.1-3-10(c)).  
 31 **(21) Sex with a minor (IC 35-42-4-9.5).**  
 32 (b) The term includes:  
 33 (1) a person who is required to register as a sex offender in any  
 34 jurisdiction; ~~and~~  
 35 **(2) a person who has been designated:**  
 36 **(A) a sex offender;**  
 37 **(B) a sexually violent predator; or**  
 38 **(C) with a substantially equivalent designation;**  
 39 **in another jurisdiction and who was or would be subjected to**  
 40 **the sex offender registration reporting requirements in the**  
 41 **other jurisdiction if the person resided, worked, volunteered,**  
 42 **attended school, or owned real property in that jurisdiction,**  
 43 **as determined by the department;**  
 44 **(3) a person who has been convicted of failure to register as a**  
 45 **sex offender in any jurisdiction; and**  
 46 ~~(2)~~ **(4) a child who has committed a delinquent act, or a person**

1 prosecuted under IC 31-30-1-4(d) for an offense described in  
 2 subsection (a) committed when the person was less than eighteen  
 3 (18) years of age, but who was at least twenty-one (21) years of  
 4 age when the charge was filed, and who:

5 (A) is at least fourteen (14) years of age;

6 (B) is on probation, is on parole, is discharged from a facility  
 7 by the department of correction, is discharged from a secure  
 8 private facility (as defined in IC 31-9-2-115), or is discharged  
 9 from a juvenile detention facility as a result of an adjudication  
 10 as a delinquent child for an act that would be an offense  
 11 described in subsection (a) if committed by an adult; and

12 (C) is found by a court by clear and convincing evidence to be  
 13 likely to repeat an act that would be an offense described in  
 14 subsection (a) if committed by an adult.

15 (c) In making a determination under subsection ~~(b)(2)(C)~~; **(b)(4)(C)**,  
 16 the court shall consider expert testimony concerning whether a child is  
 17 likely to repeat an act that would be an offense described in subsection  
 18 (a) if committed by an adult.

19 (d) A person ordered to register under subsection ~~(b)(2)~~ **(b)(4)** may  
 20 petition the court to reconsider the order at any time after completing  
 21 court ordered sex offender treatment. The court shall consider expert  
 22 testimony concerning whether a child or person is likely to repeat an  
 23 offense described in subsection (a) or an act that would be an offense  
 24 described in subsection (a) if committed by an adult.

25 SECTION 11. IC 11-8-8-5, AS AMENDED BY P.L.218-2025,  
 26 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2026]: Sec. 5. (a) Except as provided in section 22 of this  
 28 chapter, as used in this chapter, "sex or violent offender" means a  
 29 person convicted of any of the following offenses:

30 (1) Rape (IC 35-42-4-1).

31 (2) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).

32 (3) Child molesting (IC 35-42-4-3).

33 (4) Child exploitation ~~(IC 35-42-4-4(b) or IC 35-42-4-4(c))~~;  
 34 **(IC 35-42-4-4)**.

35 (5) Vicarious sexual gratification (including performing sexual  
 36 conduct in the presence of a minor) (IC 35-42-4-5).

37 (6) Child solicitation (IC 35-42-4-6).

38 (7) Child seduction (IC 35-42-4-7).

39 (8) Sexual misconduct with a minor (IC 35-42-4-9) as a Class A,  
 40 Class B, or Class C felony (for a crime committed before July 1,  
 41 2014) or a Level 1, Level 2, Level 4, or Level 5 felony (for a  
 42 crime committed after June 30, 2014), unless:

43 (A) the person is convicted of sexual misconduct with a minor  
 44 as a Class C felony (for a crime committed before July 1,  
 45 2014) or a Level 5 felony (for a crime committed after June  
 46 30, 2014);

- 1 (B) the person is not more than:  
 2 (i) four (4) years older than the victim if the offense was  
 3 committed after June 30, 2007; or  
 4 (ii) five (5) years older than the victim if the offense was  
 5 committed before July 1, 2007; and  
 6 (C) the sentencing court finds that the person should not be  
 7 required to register as a sex offender.
- 8 (9) Incest (IC 35-46-1-3).  
 9 (10) Sexual battery (IC 35-42-4-8).  
 10 (11) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen  
 11 (18) years of age, and the person who kidnapped the victim is not  
 12 the victim's parent or guardian.  
 13 (12) Criminal confinement (IC 35-42-3-3), if the victim is less  
 14 than eighteen (18) years of age, and the person who confined or  
 15 removed the victim is not the victim's parent or guardian.  
 16 (13) Possession of child sex abuse material (IC 35-42-4-4(d) or  
 17 IC 35-42-4-4(e)) **(before July 1, 2026), or a child sex abuse**  
 18 **material offense under IC 35-42-4-4.5 (after June 30, 2026).**  
 19 (14) Promoting prostitution (IC 35-45-4-4) as a Class B felony  
 20 (for a crime committed before July 1, 2014) or a Level 4 felony  
 21 (for a crime committed after June 30, 2014).  
 22 (15) Promotion of human sexual trafficking under  
 23 IC 35-42-3.5-1.1.  
 24 (16) Promotion of child sexual trafficking under  
 25 IC 35-42-3.5-1.2(a).  
 26 (17) Promotion of sexual trafficking of a younger child  
 27 (IC 35-42-3.5-1.2(c)).  
 28 (18) Child sexual trafficking (IC 35-42-3.5-1.3).  
 29 (19) Human trafficking under IC 35-42-3.5-1.4 if the victim is  
 30 less than eighteen (18) years of age.  
 31 (20) Murder (IC 35-42-1-1).  
 32 (21) Voluntary manslaughter (IC 35-42-1-3).  
 33 (22) Sexual misconduct by a service provider with a detained or  
 34 supervised child (IC 35-44.1-3-10(c)).  
 35 **(23) Sex with a minor (IC 35-42-4-9.5).**
- 36 (b) The term includes:  
 37 (1) a person who is required to register as a sex or violent  
 38 offender in any jurisdiction; ~~and~~  
 39 **(2) a person who has been designated:**  
 40 **(A) a sex offender;**  
 41 **(B) a sexually violent predator; or**  
 42 **(C) with a substantially equivalent designation;**  
 43 **in another jurisdiction, and who was or would be subjected to**  
 44 **the sex offender registration reporting requirements in the**  
 45 **other jurisdiction if the person resided, worked, volunteered,**  
 46 **attended school, or owned real property in that jurisdiction,**

1 **as determined by the department;**

2 **(3) a person who has been convicted of failure to register as a**  
 3 **sex offender in any jurisdiction; and**

4 ~~(2)~~ **(4)** a child who has committed a delinquent act, or a person  
 5 prosecuted under IC 31-30-1-4(d) for an offense described in  
 6 subsection (a) committed when the person was less than eighteen  
 7 (18) years of age, but who was at least twenty-one (21) years of  
 8 age when the charge was filed, and who:

9 (A) is at least fourteen (14) years of age;

10 (B) is on probation, is on parole, is discharged from a facility  
 11 by the department of correction, is discharged from a secure  
 12 private facility (as defined in IC 31-9-2-115), or is discharged  
 13 from a juvenile detention facility as a result of an adjudication  
 14 as a delinquent child for an act that would be an offense  
 15 described in subsection (a) if committed by an adult; and

16 (C) is found by a court by clear and convincing evidence to be  
 17 likely to repeat an act that would be an offense described in  
 18 subsection (a) if committed by an adult.

19 (c) In making a determination under subsection ~~(b)(2)(C)~~; **(b)(4)(C)**,  
 20 the court shall consider expert testimony concerning whether a child is  
 21 likely to repeat an act that would be an offense described in subsection  
 22 (a) if committed by an adult.

23 (d) A person ordered to register under subsection ~~(b)(2)~~ **(b)(4)** may  
 24 petition the court to reconsider the order at any time after completing  
 25 court ordered sex offender treatment. The court shall consider expert  
 26 testimony concerning whether a child or person is likely to repeat an  
 27 offense described in subsection (a) or an act that would be an offense  
 28 described in subsection (a) if committed by an adult."

29 Delete pages 9 through 11.

30 Page 12, delete lines 1 through 30.

31 Page 14, between lines 25 and 26, begin a new paragraph and insert:  
 32 "SECTION 15. IC 11-10-11.5-11, AS AMENDED BY P.L.1-2025,  
 33 SECTION 161, IS AMENDED TO READ AS FOLLOWS  
 34 [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) While assigned to a  
 35 community transition program, a person must comply with:

36 (1) the rules concerning the conduct of persons in the community  
 37 transition program, including rules related to payments described  
 38 in section 12 of this chapter, that are adopted by the community  
 39 corrections advisory board establishing the program or, in  
 40 counties that are not served by a community corrections program,  
 41 that are jointly adopted by the courts in the county with felony  
 42 jurisdiction; and

43 (2) any conditions established by the sentencing court for the  
 44 person.

45 (b) As a rule of the community transition program, a person  
 46 convicted of a sex offense (as defined in IC 11-8-8-5.2) may not use a

1 social networking website (as defined in IC 35-31.5-2-307) or an  
 2 instant messaging or chat room program (as defined in  
 3 IC 35-31.5-2-173) to communicate, directly or through an intermediary,  
 4 with a child less than ~~sixteen (16)~~ **eighteen (18)** years of age. However,  
 5 the rules of the community transition program may permit the offender  
 6 to communicate using a social networking website or an instant  
 7 messaging or chat room program with:

- 8 (1) the offender's own child, stepchild, or sibling; or
- 9 (2) another relative of the offender specifically named in the rules  
 10 applicable to that person.

11 (c) As a rule of the community transition program, an individual  
 12 may be required to receive:

- 13 (1) addiction counseling;
- 14 (2) inpatient detoxification;
- 15 (3) case management;
- 16 (4) daily living skills; and
- 17 (5) medication assisted treatment, including a federal Food and  
 18 Drug Administration approved long acting, nonaddictive  
 19 medication for the treatment of opioid or alcohol dependence.

20 SECTION 16. IC 11-13-3-4, AS AMENDED BY P.L.186-2025,  
 21 SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 22 JULY 1, 2026]: Sec. 4. (a) A condition to remaining on parole is that  
 23 the parolee not commit a crime during the period of parole.

24 (b) The parole board may also adopt, under IC 4-22-2, additional  
 25 conditions to remaining on parole and require a parolee to satisfy one  
 26 (1) or more of these conditions. These conditions must be reasonably  
 27 related to the parolee's successful reintegration into the community and  
 28 not unduly restrictive of a fundamental right.

29 (c) If a person is released on parole, the parolee shall be given a  
 30 written statement of the conditions of parole. Signed copies of this  
 31 statement shall be:

- 32 (1) retained by the parolee;
- 33 (2) forwarded to any person charged with the parolee's  
 34 supervision; and
- 35 (3) placed in the parolee's master file.

36 (d) The parole board may modify parole conditions if the parolee  
 37 receives notice of that action and had ten (10) days after receipt of the  
 38 notice to express the parolee's views on the proposed modification.  
 39 This subsection does not apply to modification of parole conditions  
 40 after a revocation proceeding under section 10 of this chapter.

41 (e) As a condition of parole, the parole board may require the  
 42 parolee to reside in a particular parole area. In determining a parolee's  
 43 residence requirement, the parole board shall:

- 44 (1) consider:
  - 45 (A) the residence of the parolee prior to the parolee's  
 46 incarceration; and

- 1 (B) the parolee's place of employment; and  
 2 (2) assign the parolee to reside in the county where the parolee  
 3 resided prior to the parolee's incarceration unless assignment on  
 4 this basis would be detrimental to the parolee's successful  
 5 reintegration into the community.
- 6 (f) As a condition of parole, the parole board may require the  
 7 parolee to:  
 8 (1) periodically undergo a laboratory chemical test (as defined in  
 9 IC 9-13-2-22) or series of tests to detect and confirm the presence  
 10 of a controlled substance (as defined in IC 35-48-1.1-7); and  
 11 (2) have the results of any test under this subsection reported to  
 12 the parole board by the laboratory.
- 13 The parolee is responsible for any charges resulting from a test  
 14 required under this subsection. However, a person's parole may not be  
 15 revoked on the basis of the person's inability to pay for a test under this  
 16 subsection.
- 17 (g) As a condition of parole, the parole board:  
 18 (1) may require a parolee who is a sex offender (as defined in  
 19 IC 11-8-8-4.5) to:  
 20 (A) participate in a treatment program for sex offenders  
 21 approved by the parole board; and  
 22 (B) avoid contact with any person who is less than ~~sixteen (16)~~  
 23 **eighteen (18)** years of age unless the parolee:  
 24 (i) receives the parole board's approval; or  
 25 (ii) successfully completes the treatment program referred to  
 26 in clause (A); and  
 27 (2) shall:  
 28 (A) require a parolee who is a sex or violent offender (as  
 29 defined in IC 11-8-8-5) to register with a local law  
 30 enforcement authority under IC 11-8-8;  
 31 (B) prohibit a parolee who is a sex offender from residing  
 32 within one thousand (1,000) feet of school property (as defined  
 33 in IC 35-31.5-2-285) for the period of parole, unless the sex  
 34 offender obtains written approval from the parole board;  
 35 (C) prohibit a parolee who is a sex offender convicted of a sex  
 36 offense (as defined in IC 35-38-2-2.5) from residing within  
 37 one (1) mile of the victim of the sex offender's sex offense  
 38 unless the sex offender obtains a waiver under IC 35-38-2-2.5;  
 39 (D) prohibit a parolee who is a sex offender from owning,  
 40 operating, managing, being employed by, or volunteering at  
 41 any attraction designed to be primarily enjoyed by children  
 42 less than ~~sixteen (16)~~ **eighteen (18)** years of age;  
 43 (E) require a parolee who is a sex offender to consent:  
 44 (i) to the search of the sex offender's personal computer at  
 45 any time; and  
 46 (ii) to the installation on the sex offender's personal

- 1 computer or device with Internet capability, at the sex  
 2 offender's expense, of one (1) or more hardware or software  
 3 systems to monitor Internet usage; and  
 4 (F) prohibit the sex offender from:  
 5 (i) accessing or using certain websites, chat rooms, or instant  
 6 messaging programs frequented by children; and  
 7 (ii) deleting, erasing, or tampering with information on the  
 8 sex offender's personal computer with intent to conceal an  
 9 activity prohibited by item (i).
- 10 The parole board may not grant a sexually violent predator (as defined  
 11 in IC 35-38-1-7.5) or a sex offender who is an offender against children  
 12 under IC 35-42-4-11 a waiver under subdivision (2)(B) or (2)(C). If the  
 13 parole board allows the sex offender to reside within one thousand  
 14 (1,000) feet of school property under subdivision (2)(B), the parole  
 15 board shall notify each school within one thousand (1,000) feet of the  
 16 sex offender's residence of the order.
- 17 (h) The address of the victim of a parolee who is a sex offender  
 18 convicted of a sex offense (as defined in IC 35-38-2-2.5) is  
 19 confidential, even if the sex offender obtains a waiver under  
 20 IC 35-38-2-2.5.
- 21 (i) As a condition of parole, the parole board may require a parolee  
 22 to participate in a reentry court program.
- 23 (j) This subsection does not apply to a person on lifetime parole. As  
 24 a condition of parole, the parole board shall require a parolee who is a  
 25 sexually violent predator under IC 35-38-1-7.5 or who is a sex or  
 26 violent offender (as defined in IC 11-8-8-5) to wear a monitoring  
 27 device (as described in IC 35-38-2.5-3) that can transmit information  
 28 twenty-four (24) hours each day regarding a person's precise location,  
 29 subject to a validated sex offender risk assessment, and subject to the  
 30 amount appropriated to the department for a monitoring program as a  
 31 condition of parole.
- 32 (k) As a condition of parole, the parole board may prohibit, in  
 33 accordance with IC 35-38-2-2.6, a parolee who has been convicted of  
 34 stalking from residing within one thousand (1,000) feet of the residence  
 35 of the victim of the stalking for a period that does not exceed five (5)  
 36 years.
- 37 (l) As a condition of parole, the parole board may prohibit a parolee  
 38 convicted of an offense under IC 35-46-3 from owning, harboring, or  
 39 training an animal, and, if the parole board prohibits a parolee  
 40 convicted of an offense under IC 35-46-3 from having direct or indirect  
 41 contact with an individual, the parole board may also prohibit the  
 42 parolee from having direct or indirect contact with any animal  
 43 belonging to the individual.
- 44 (m) As a condition of parole, the parole board may require a parolee  
 45 to receive:  
 46 (1) addiction counseling;

- 1 (2) inpatient detoxification;
- 2 (3) case management;
- 3 (4) daily living skills; and
- 4 (5) medication assisted treatment, including a federal Food and
- 5 Drug Administration approved long acting, nonaddictive
- 6 medication for the treatment of opioid or alcohol dependence.

7 (n) A parolee may be responsible for the reasonable expenses, as  
 8 determined by the department, of the parolee's participation in a  
 9 treatment or other program required as a condition of parole under this  
 10 section. However, a person's parole may not be revoked solely on the  
 11 basis of the person's inability to pay for a program required as a  
 12 condition of parole under this section.

13 (o) As a condition of parole, the parole board shall prohibit a person  
 14 convicted of an animal abuse offense (as defined in IC 35-38-2-2.8)  
 15 from owning, harboring, or training a companion animal (as defined in  
 16 IC 35-38-2-2.8)."

17 Page 16, between lines 6 and 7, begin a new paragraph and insert:

18 "SECTION 18. IC 16-21-8-1, AS AMENDED BY P.L.144-2024,  
 19 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JULY 1, 2026]: Sec. 1. (a) A hospital licensed under IC 16-21-2 that  
 21 provides general medical and surgical hospital services shall provide  
 22 forensic medical exams and additional forensic services to all alleged  
 23 sex crime victims who apply for forensic medical exams and additional  
 24 forensic services in relation to injuries or trauma resulting from the  
 25 alleged sex crime. To the extent practicable, the hospital shall use a  
 26 sexual assault examination kit to conduct forensic exams and provide  
 27 forensic services. The provision of services may not be dependent on  
 28 a victim's reporting to, or cooperating with, law enforcement.

29 (b) For the purposes of this chapter, the following crimes are  
 30 considered sex crimes:

- 31 (1) Rape (IC 35-42-4-1).
- 32 (2) Criminal deviate conduct (IC 35-42-4-2) (repealed).
- 33 (3) Child molesting (IC 35-42-4-3).
- 34 (4) Vicarious sexual gratification (IC 35-42-4-5).
- 35 (5) Sexual battery (IC 35-42-4-8).
- 36 (6) Sexual misconduct with a minor (IC 35-42-4-9).
- 37 **(7) Sex with a minor (IC 35-42-4-9.5).**
- 38 ~~(7)~~ **(8)** Child solicitation (IC 35-42-4-6).
- 39 ~~(8)~~ **(9)** Child seduction (IC 35-42-4-7).
- 40 ~~(9)~~ **(10)** Incest (IC 35-46-1-3).

41 (c) Payment for services under this section shall be processed in  
 42 accordance with rules adopted by the division.

43 SECTION 19. IC 16-34-2-4.2, AS ADDED BY P.L.173-2017,  
 44 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 45 JULY 1, 2026]: Sec. 4.2. (a) This section applies only if consent is  
 46 required under section 4 of this chapter and has not been given.

1 (b) This section does not apply to a person who aids or assists an  
2 unemancipated pregnant minor who has obtained or is seeking to  
3 obtain:

- 4 (1) parental consent; or
- 5 (2) a waiver of parental consent;
- 6 under section 4 of this chapter.

7 (c) A person may not knowingly or intentionally aid or assist an  
8 unemancipated pregnant minor in obtaining an abortion without the  
9 consent required by section 4 of this chapter.

10 (d) Except as provided in subsection (g), a person who violates  
11 subsection (c) is civilly liable to the unemancipated pregnant minor and  
12 the parent or legal guardian or custodian of the unemancipated  
13 pregnant minor. A court may award damages to the unemancipated  
14 pregnant minor or the parent or legal guardian or custodian of the  
15 unemancipated pregnant minor who is adversely affected by a violation  
16 of this section, including the following damages:

- 17 (1) Compensation for physical or emotional injury, without the  
18 need of being physically present at the act or event.
- 19 (2) Attorney's fees.
- 20 (3) Court costs.
- 21 (4) Punitive damages.

22 However, an adult who engaged in or consented to another person  
23 engaging in a sex act with a minor in violation of IC 35-42-4-3(a), ~~or~~  
24 ~~IC 35-42-4-9, or IC 35-42-4-9.5~~ that resulted in the pregnancy may not  
25 be awarded damages under this subsection.

26 (e) An unemancipated pregnant minor does not have the capacity to  
27 consent to any action in violation of this section or section 4 of this  
28 chapter. A person may not use as a defense to a violation of subsection  
29 (c) that the abortion was performed or induced with consent of the  
30 unemancipated pregnant minor and otherwise met the requirements of  
31 this chapter.

32 (f) The parent or legal guardian or custodian of the unemancipated  
33 pregnant minor may petition a court to enjoin conduct that would  
34 violate this section if the parent or legal guardian or custodian can  
35 show that the conduct is reasonably anticipated to occur in the future.  
36 A court may enjoin conduct that would violate this section.

37 (g) A person may not bring a cause of action under this section  
38 against a person who is related to the minor as a:

- 39 (1) parent or stepparent;
- 40 (2) grandparent or stepgrandparent; or
- 41 (3) sibling or stepsibling."

42 Page 16, between lines 40 and 41, begin a new paragraph and insert:  
43 "SECTION 22. IC 31-11-1-7, AS ADDED BY P.L.94-2020,  
44 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
45 JULY 1, 2026]: Sec. 7. (a) A minor who is sixteen (16) or seventeen  
46 (17) years of age may petition the juvenile court in the county in which

1 the minor resides for an order granting the minor approval to marry and  
 2 completely emancipating the minor. The petition must contain the  
 3 following information:

- 4 (1) The minor's name, gender, and age.  
 5 (2) Documentary proof of the minor's date of birth.  
 6 (3) The minor's address, and how long the minor has resided at  
 7 that address.

8 (4) The following information with regard to the intended spouse:

- 9 (A) The intended spouse's name, gender, and age.  
 10 (B) Documentary proof of the intended spouse's date of birth.  
 11 (C) The intended spouse's address, and how long the intended  
 12 spouse has resided at that address.

13 (5) A statement of:

- 14 (A) the reasons the minor desires to marry;  
 15 (B) how the minor and the intended spouse came to know each  
 16 other; and  
 17 (C) how long the minor and the intended spouse have known  
 18 each other.

19 (6) Copies of:

- 20 (A) any criminal records of the minor and of the intended  
 21 spouse; and  
 22 (B) any protective order:  
 23 (i) issued to protect or restrain either the minor or the  
 24 intended spouse; and  
 25 (ii) relating to domestic or family violence, a sexual offense,  
 26 or stalking.

27 (7) Evidence that the minor has demonstrated maturity and  
 28 capacity for self-sufficiency and self-support independent of the  
 29 minor's parents or legal guardians or the intended spouse,  
 30 including proof that the minor:

- 31 (A) has graduated from high school;  
 32 (B) has obtained a high school equivalency diploma;  
 33 (C) has a plan for continued education;  
 34 (D) has completed a vocational training or certificate program;  
 35 (E) has attained a professional licensure or certification; or  
 36 (F) has maintained stable housing or employment for at least  
 37 three (3) consecutive months prior to filing the petition.

38 (b) A court with which a petition under subsection (a) is filed shall:

- 39 (1) set a date for an evidentiary hearing on the petition;  
 40 (2) provide reasonable notice of the hearing to the minor and the  
 41 minor's parents or legal guardians; and  
 42 (3) appoint an attorney to serve as guardian ad litem for the  
 43 minor.

44 (c) At the evidentiary hearing, the court shall conduct an in camera  
 45 interview with the minor separate from the minor's parents or legal  
 46 guardians and intended spouse.

- 1 (d) Following the evidentiary hearing, and subject to subsection (e),
- 2 the court may grant the petition if the court finds all of the following:
- 3 (1) The minor is a county resident who is at least sixteen (16)
- 4 years of age.
- 5 (2) The intended spouse is not more than four (4) years older than
- 6 the minor.
- 7 (3) The minor's decision to marry is voluntary, and free from
- 8 force, fraud, or coercion.
- 9 (4) The minor is mature enough to make a decision to marry.
- 10 (5) The minor has established the minor's capacity to be
- 11 self-sufficient and self-supporting independent of the minor's
- 12 parents, legal guardians, and intended spouse.
- 13 (6) The minor understands the rights and responsibilities of
- 14 parties to marriage and of completely emancipated minors.
- 15 (7) It is in the best interests of the minor for the court to grant the
- 16 petition to marry and to completely emancipate the minor. In
- 17 making the determination under this subdivision, the court shall
- 18 consider how marriage and emancipation may affect the minor's
- 19 health, safety, education, and welfare.

20 A court that grants a petition under this section shall issue written  
 21 findings regarding the court's conclusions under subdivisions (1)  
 22 through (7).

23 (e) The following, considered independently or together, are not  
 24 sufficient to determine the best interests of a minor for purposes of this  
 25 section:

- 26 (1) The fact that the minor or the intended spouse is pregnant or
- 27 has had a child.
- 28 (2) The wishes of the parents or legal guardians of the minor.

29 However, there is a rebuttable presumption that marriage and  
 30 emancipation are not in the best interests of the minor if both parents  
 31 of the minor oppose the minor's marriage and emancipation.

32 (f) The juvenile court shall deny a petition under this section if the  
 33 court finds any of the following:

- 34 (1) The intended spouse:
  - 35 (A) is or was in a position of authority or special trust in
  - 36 relation to the minor; or
  - 37 (B) has or had a professional relationship with the minor, as
  - 38 defined in IC 35-42-4-7.
- 39 (2) The intended spouse has been convicted of, or entered into a
- 40 diversion program for, an offense under IC 35-42:
  - 41 (A) that involves an act of violence;
  - 42 (B) of which a child was the victim; or
  - 43 (C) that is an offense under:
    - 44 (i) IC 35-42-3.5; or
    - 45 (ii) IC 35-42-4.
- 46 (3) Either the minor or the intended spouse is pregnant or is the

- 1 mother of a child, and the court finds by a preponderance of
- 2 evidence that:
- 3 (A) the other party to the marriage is the father of the child or
- 4 unborn child; and
- 5 (B) the conception of the child or unborn child resulted from
- 6 the commission of an offense under:
- 7 (i) IC 35-42-4-3 (child molesting);
- 8 (ii) IC 35-42-4-6 (child solicitation);
- 9 (iii) IC 35-42-4-7 (child seduction); ~~or~~
- 10 (iv) IC 35-42-4-9 (sexual misconduct with a minor); **or**
- 11 **(v) IC 35-42-4-9.5 (sex with a minor).**
- 12 (4) The intended spouse has previously been enjoined by a
- 13 protective order relating to domestic or family violence, a sexual
- 14 offense, or stalking, regardless of whether the person protected by
- 15 the order was the minor.
- 16 (g) If a court grants a petition under this section, the court shall also
- 17 issue an order of complete emancipation of the minor and provide a
- 18 certified copy of the order to the minor.
- 19 (h) A minor emancipated under this section is considered to have all
- 20 the rights and responsibilities of an adult, except as provided under
- 21 specific constitutional or statutory age requirements that apply to the
- 22 minor because of the minor's age, including requirements related to
- 23 voting, use of alcoholic beverages or tobacco products, and other health
- 24 and safety regulations.
- 25 (i) A court hearing a petition under this section may issue any other
- 26 order the court considers appropriate for the minor's protection.
- 27 (j) A court that grants a petition under this section may require that
- 28 both parties to the marriage complete premarital counseling with a
- 29 marriage and family therapist licensed under IC 25-22.5, IC 25-23.6-8,
- 30 or IC 25-33.
- 31 (k) A court that grants a petition under this section may impose any
- 32 other condition on the grant of the petition that the court determines is
- 33 reasonable under the circumstances."
- 34 Page 18, between lines 24 and 25, begin a new paragraph and insert:
- 35 "SECTION 25. IC 31-19-2.5-2 IS AMENDED TO READ AS
- 36 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) Except as
- 37 provided in subsection (b), IC 31-19-4 applies to notice given to a
- 38 putative father and IC 31-19-4.5 applies to notice given to other
- 39 persons.
- 40 (b) If a petition for adoption alleges the consent of a putative father
- 41 or a parent to the adoption has not been obtained and is unnecessary
- 42 under:
- 43 (1) IC 31-19-9-8(a)(1);
- 44 (2) IC 31-19-9-8(a)(2);
- 45 (3) IC 31-19-9-8(a)(4)(B);
- 46 (4) IC 31-19-9-8(a)(4)(C);

- 1           **(5) IC 31-19-9-8(a)(4)(D);**
- 2           ~~(5)~~ **(6) IC 31-19-9-8(a)(9);** or
- 3           ~~(6)~~ **(7) IC 31-19-9-8(a)(11);**
- 4           notice must be given under IC 31-19-4.5.
- 5           SECTION 26. IC 31-19-2.5-4, AS AMENDED BY P.L.203-2021,
- 6           SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 7           JULY 1, 2026]: Sec. 4. Notice of the pendency of the adoption
- 8           proceedings does not have to be given to:
- 9           (1) a person whose consent to adoption has been filed with the
- 10           court;
- 11           (2) a person whose consent to adoption is not required by:
- 12           (A) IC 31-19-9-8(a)(4)(A);
- 13           (B) IC 31-19-9-8(a)(4)(D);
- 14           **(C) IC 31-19-9-8(a)(4)(E);**
- 15           ~~(C)~~ **(D) IC 31-19-9-8(a)(5);**
- 16           ~~(D)~~ **(E) IC 31-19-9-8(a)(6);**
- 17           ~~(E)~~ **(F) IC 31-19-9-8(a)(7);**
- 18           ~~(F)~~ **(G) IC 31-19-9-8(a)(8);**
- 19           ~~(G)~~ **(H) IC 31-19-9-9;**
- 20           ~~(H)~~ **(I) IC 31-19-9-10;**
- 21           ~~(I)~~ **(J) IC 31-19-9-12;**
- 22           ~~(J)~~ **(K) IC 31-19-9-15;** or
- 23           ~~(K)~~ **(L) IC 31-19-9-18;**
- 24           (3) the hospital of an infant's birth or a hospital to which an infant
- 25           is transferred for medical reasons after birth if the infant is being
- 26           adopted at or shortly after birth;
- 27           (4) a person whose parental rights have been terminated before
- 28           the entry of a final decree of adoption; or
- 29           (5) a person who has waived notice under:
- 30           (A) IC 31-19-4-8; or
- 31           (B) IC 31-19-4.5-4.

- 32           SECTION 27. IC 31-19-9-8, AS AMENDED BY P.L.89-2023,
- 33           SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 34           JULY 1, 2026]: Sec. 8. (a) Consent to adoption, which may be required
- 35           under section 1 of this chapter, is not required from any of the
- 36           following:
- 37           (1) A parent or parents if the child is adjudged to have been
- 38           abandoned or deserted for at least six (6) months immediately
- 39           preceding the date of the filing of the petition for adoption.
- 40           (2) A parent of a child in the custody of another person if for a
- 41           period of at least one (1) year the parent:
- 42           (A) fails without justifiable cause to communicate
- 43           significantly with the child when able to do so; or
- 44           (B) knowingly fails to provide for the care and support of the
- 45           child when able to do so as required by law or judicial decree.
- 46           (3) The biological father of a child born out of wedlock whose

- 1 paternity has not been established:  
 2 (A) by a court proceeding other than the adoption proceeding;  
 3 or  
 4 (B) by executing a paternity affidavit under IC 16-37-2-2.1.  
 5 (4) The biological father of a child born out of wedlock who was  
 6 conceived as a result of:  
 7 (A) a rape for which the father was convicted under  
 8 IC 35-42-4-1;  
 9 (B) child molesting (IC 35-42-4-3);  
 10 (C) sexual misconduct with a minor (IC 35-42-4-9); ~~or~~  
 11 **(D) sex with a minor (IC 35-42-4-9.5); or**  
 12 ~~(E)~~ **(E) incest (IC 35-46-1-3).**  
 13 (5) The putative father of a child born out of wedlock if the  
 14 putative father's consent to adoption is irrevocably implied under  
 15 section 15 of this chapter.  
 16 (6) The biological father of a child born out of wedlock if the:  
 17 (A) father's paternity is established after the filing of a petition  
 18 for adoption in a court proceeding or by executing a paternity  
 19 affidavit under IC 16-37-2-2.1; and  
 20 (B) father is required to but does not register with the putative  
 21 father registry established by IC 31-19-5 within the period  
 22 required by IC 31-19-5-12.  
 23 (7) A parent who has relinquished the parent's right to consent to  
 24 adoption as provided in this chapter.  
 25 (8) A parent after the parent-child relationship has been  
 26 terminated under IC 31-35 (or IC 31-6-5 before its repeal).  
 27 (9) A parent judicially declared incompetent or mentally defective  
 28 if the court dispenses with the parent's consent to adoption.  
 29 (10) A legal guardian or lawful custodian of the person to be  
 30 adopted who has failed to consent to the adoption for reasons  
 31 found by the court not to be in the best interests of the child.  
 32 (11) A parent if:  
 33 (A) a petitioner for adoption proves by clear and convincing  
 34 evidence that the parent is unfit to be a parent; and  
 35 (B) the best interests of the child sought to be adopted would  
 36 be served if the court dispensed with the parent's consent.  
 37 (12) A child's biological father who denies paternity of the child  
 38 before or after the birth of the child if the denial of paternity:  
 39 (A) is in writing;  
 40 (B) is signed by the child's father in the presence of a notary  
 41 public; and  
 42 (C) contains an acknowledgment that:  
 43 (i) the denial of paternity is irrevocable; and  
 44 (ii) the child's father will not receive notice of adoption  
 45 proceedings.  
 46 A child's father who denies paternity of the child under this

1 subdivision may not challenge or contest the child's adoption.  
2 (13) A deceased person.  
3 (b) If a parent has made only token efforts to support or to  
4 communicate with the child the court may declare the child abandoned  
5 by the parent.  
6 SECTION 28. IC 31-19-10-1.2, AS AMENDED BY P.L.203-2021,  
7 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2026]: Sec. 1.2. (a) If a petition for adoption alleges that a  
9 parent's consent to adoption is unnecessary under:  
10 (1) IC 31-19-9-8(a)(1); or  
11 (2) IC 31-19-9-8(a)(2);  
12 and the parent files a motion to contest the adoption under section 1 of  
13 this chapter, a petitioner for adoption has the burden of proving that the  
14 parent's consent to the adoption is unnecessary under IC 31-19-9-8.  
15 (b) If a petition for adoption alleges that a parent's consent to  
16 adoption is unnecessary under:  
17 (1) IC 31-19-9-8(a)(4)(B); ~~or~~  
18 (2) IC 31-19-9-8(a)(4)(C); ~~or~~  
19 **(3) IC 31-19-9-8(a)(4)(D);**  
20 and the parent files a motion to contest the adoption under section 1 of  
21 this chapter, the parent has the burden of proving that the child was not  
22 conceived under circumstances that would cause the parent's consent  
23 to be unnecessary under IC 31-19-9-8(a)(4). The absence of a criminal  
24 prosecution and conviction is insufficient to satisfy the burden of proof.  
25 (c) If a petition for adoption alleges that a parent's consent to  
26 adoption is unnecessary under IC 31-19-9-8(a)(9) and the parent files  
27 a motion to contest the adoption under section 1 of this chapter, a  
28 petitioner for adoption has the burden of proving that the parent's  
29 consent to the adoption is unnecessary under IC 31-19-9-8(a)(9).  
30 (d) If a petition for adoption alleges that a legal guardian or lawful  
31 custodian's consent to adoption is unnecessary under  
32 IC 31-19-9-8(a)(10) and the legal guardian or lawful custodian files a  
33 motion to contest the adoption under section 1 of this chapter, the legal  
34 guardian or lawful custodian has the burden of proving that the  
35 withholding of the consent to adoption is in the best interests of the  
36 person sought to be adopted.  
37 (e) If a petition for adoption alleges that a parent's consent to  
38 adoption is unnecessary under IC 31-19-9-8(a)(11) and the parent files  
39 a motion to contest the adoption under section 1 of this chapter, a  
40 petitioner for adoption has the burden of proving that the requirements  
41 of IC 31-19-9-8(a)(11) are satisfied and that the best interests of the  
42 child are served if the court dispenses with the parent's consent to  
43 adoption.  
44 (f) If a petition for adoption alleges that a parent's consent to  
45 adoption is unnecessary under:  
46 (1) IC 31-19-9-9; or

1 (2) IC 31-19-9-10;  
2 and the parent files a motion to contest the adoption under section 1 of  
3 this chapter, a petitioner has the burden of proving that the  
4 requirements of IC 31-19-9-9 or IC 31-19-9-10, respectively, are  
5 satisfied and that the best interests of the child are served if the court  
6 dispenses with the parent's consent to adoption.

7 (g) If a court finds that the person who filed the motion to contest  
8 the adoption fails to:

- 9 (1) diligently prosecute the motion;
- 10 (2) comply with procedural rules and statutes governing contested  
11 adoptions;
- 12 (3) obey an order of the court; or
- 13 (4) appear, after proper notice, at a hearing relating to the motion  
14 to contest the adoption;

15 the court may dismiss the motion to contest with prejudice, and the  
16 person's consent to the adoption shall be irrevocably implied.

17 (h) A court that dismisses a person's motion to contest under  
18 subsection (g)(4) shall notify the person of the dismissal and may set  
19 aside the dismissal if, not later than fourteen (14) days after the person  
20 receives notice of the dismissal, the person files a motion with the court  
21 setting forth facts that:

- 22 (1) establish good cause for the person's failure to appear; and
- 23 (2) if proven, demonstrate that the person's failure to appear was  
24 reasonable.

25 SECTION 29. IC 31-27-4-35, AS ADDED BY P.L.145-2006,  
26 SECTION 273, IS AMENDED TO READ AS FOLLOWS  
27 [EFFECTIVE JULY 1, 2026]: Sec. 35. (a) A licensee must immediately  
28 contact the department if:

- 29 (1) a foster child less than ~~sixteen (16)~~ **eighteen (18)** years of age,  
30 while living in a foster home, engages in or is the victim of sexual  
31 contact (as defined in IC 25-1-9-3.5);
- 32 (2) a foster child, while living in a foster home, is:  
33 (A) charged with or adjudicated as having committed an act  
34 that would be a crime under IC 35-42-4 if committed by an  
35 adult;
- 36 (B) charged with or convicted of an offense under IC 35-42-4;  
37 or  
38 (C) the victim of an offense under IC 35-42-4; or
- 39 (3) the licensee learns that a foster child has, before placement  
40 with the licensee, engaged in or been the victim of an act  
41 described in subdivision (1) or (2).

42 (b) The information provided to the department under subsection (a)  
43 must include:

- 44 (1) the name of the child;
- 45 (2) the date of the occurrence of the act if it can be determined;
- 46 (3) a description of the act;

- 1 (4) the name of the responding law enforcement agency if a law
- 2 enforcement agency is contacted; and
- 3 (5) any other information the licensee determines is relevant.
- 4 (c) Notwithstanding any other law, the department shall provide
- 5 information described in subsection (b)(1) through (b)(4), whether
- 6 received from a licensee or another reliable source, to:
- 7 (1) a prospective licensee before the placement of the foster child
- 8 with that licensee; and
- 9 (2) each licensee with whom the foster child has previously been
- 10 placed.
- 11 (d) The notification requirements of subsection (c) apply to a foster
- 12 child who has:
- 13 (1) engaged in sexual contact (as defined in IC 25-1-9-3.5) if the
- 14 foster child is less than ~~sixteen (16)~~ **eighteen (18)** years of age;
- 15 (2) been charged with or adjudicated as having committed an act
- 16 that would be a crime under IC 35-42-4 if committed by an adult;
- 17 or
- 18 (3) been charged with or convicted of an offense under
- 19 IC 35-42-4.
- 20 SECTION 30. IC 31-34-1-3, AS AMENDED BY P.L.142-2020,
- 21 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 22 JULY 1, 2026]: Sec. 3. (a) A child is a child in need of services if,
- 23 before the child becomes eighteen (18) years of age:
- 24 (1) the child is the victim of an offense under:
- 25 (A) IC 35-42-4-1;
- 26 (B) IC 35-42-4-2 (before its repeal);
- 27 (C) IC 35-42-4-3;
- 28 (D) IC 35-42-4-4;
- 29 (E) IC 35-42-4-5;
- 30 (F) IC 35-42-4-6;
- 31 (G) IC 35-42-4-7;
- 32 (H) IC 35-42-4-8;
- 33 (I) IC 35-42-4-9;
- 34 **(J) IC 35-42-4-9.5;**
- 35 ~~(K)~~ **(K)** IC 35-45-4-1;
- 36 ~~(L)~~ **(L)** IC 35-45-4-2;
- 37 ~~(M)~~ **(M)** IC 35-45-4-3;
- 38 ~~(N)~~ **(N)** IC 35-45-4-4; or
- 39 ~~(O)~~ **(O)** IC 35-46-1-3; and
- 40 (2) the child needs care, treatment, or rehabilitation that:
- 41 (A) the child is not receiving; and
- 42 (B) is unlikely to be provided or accepted without the coercive
- 43 intervention of the court.
- 44 (b) A child is a child in need of services if, before the child becomes
- 45 eighteen (18) years of age, the child:
- 46 (1) lives in the same household as an adult who:

- 1 (A) committed an offense described in subsection (a)(1)
- 2 against a child and the offense resulted in a conviction or a
- 3 judgment under IC 31-34-11-2; or
- 4 (B) has been charged with an offense described in subsection
- 5 (a)(1) against a child and is awaiting trial; and
- 6 (2) needs care, treatment, or rehabilitation that:
- 7 (A) the child is not receiving; and
- 8 (B) is unlikely to be provided or accepted without the coercive
- 9 intervention of the court.
- 10 (c) A child is a child in need of services if, before the child becomes
- 11 eighteen (18) years of age:
- 12 (1) the child lives in the same household as another child who is
- 13 the victim of an offense described in subsection (a)(1);
- 14 (2) the child needs care, treatment, or rehabilitation that:
- 15 (A) the child is not receiving; and
- 16 (B) is unlikely to be provided or accepted without the coercive
- 17 intervention of the court; and
- 18 (3) a caseworker assigned to provide services to the child:
- 19 (A) places the child in a program of informal adjustment or
- 20 other family or rehabilitative services based on the existence
- 21 of the circumstances described in subdivisions (1) and (2), and
- 22 the caseworker subsequently determines further intervention
- 23 is necessary; or
- 24 (B) determines that a program of informal adjustment or other
- 25 family or rehabilitative services is inappropriate.
- 26 (d) A child is a child in need of services if, before the child becomes
- 27 eighteen (18) years of age:
- 28 (1) the child lives in the same household as an adult who:
- 29 (A) committed a human or sexual trafficking offense under
- 30 IC 35-42-3.5-1 through IC 35-42-3.5-1.4 or the law of another
- 31 jurisdiction, including federal law, that resulted in a conviction
- 32 or a judgment under IC 31-34-11-2; or
- 33 (B) has been charged with a human or sexual trafficking
- 34 offense under IC 35-42-3.5-1 through IC 35-42-3.5-1.4 or the
- 35 law of another jurisdiction, including federal law, and is
- 36 awaiting trial; and
- 37 (2) the child needs care, treatment, or rehabilitation that:
- 38 (A) the child is not receiving; and
- 39 (B) is unlikely to be provided or accepted without the coercive
- 40 intervention of the court.
- 41 SECTION 31. IC 31-34-21-5.6, AS AMENDED BY P.L.19-2024,
- 42 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 43 JULY 1, 2026]: Sec. 5.6. (a) Except as provided in subsection (c), a
- 44 court may make a finding described in this section at any phase of a
- 45 child in need of services proceeding.
- 46 (b) Reasonable efforts to reunify a child with the child's parent,

1 guardian, or custodian or preserve a child's family as described in  
 2 section 5.5 of this chapter are not required if the court finds any of the  
 3 following:

4 (1) A parent, guardian, or custodian of the child has been  
 5 convicted of:

6 (A) an offense described in IC 31-35-3-4(1)(B) or  
 7 IC 31-35-3-4(1)(D) through ~~IC 31-35-3-4(1)(J)~~

8 **IC 31-35-3-4(1)(K)** against a victim who is:

9 (i) a child described in IC 31-35-3-4(2)(B); or

10 (ii) a parent of the child; or

11 (B) a comparable offense as described in clause (A) in any  
 12 other state, territory, or country by a court of competent  
 13 jurisdiction.

14 (2) A parent, guardian, or custodian of the child:

15 (A) has been convicted of:

16 (i) the murder (IC 35-42-1-1) or voluntary manslaughter (IC  
 17 35-42-1-3) of a victim who is a child described in  
 18 IC 31-35-3-4(2)(B) or a parent of the child; or

19 (ii) a comparable offense described in item (i) in any other  
 20 state, territory, or country;

21 (B) has been convicted of:

22 (i) aiding, inducing, or causing another person;

23 (ii) attempting; or

24 (iii) conspiring with another person;

25 to commit an offense described in clause (A);

26 (C) is required to register:

27 (i) as a sex offender under 34 U.S.C. 20913; or

28 (ii) as a sex or violent offender under IC 36-2-13-5.5; or

29 (D) committed an offense described in IC 31-34-1-3 or  
 30 IC 31-34-1-3.5 against a child and the offense resulted in a  
 31 conviction or a judgment under IC 31-34-11-2.

32 (3) A parent, guardian, or custodian of the child has been  
 33 convicted of:

34 (A) battery as a Class A felony (for a crime committed before  
 35 July 1, 2014) or Level 2 felony (for a crime committed after  
 36 June 30, 2014);

37 (B) battery as a Class B felony (for a crime committed before  
 38 July 1, 2014) or Level 3 or Level 4 felony (for a crime  
 39 committed after June 30, 2014);

40 (C) battery as a Class C felony (for a crime committed before  
 41 July 1, 2014) or Level 5 felony (for a crime committed after  
 42 June 30, 2014);

43 (D) aggravated battery (IC 35-42-2-1.5);

44 (E) criminal recklessness (IC 35-42-2-2) as a Class C felony  
 45 (for a crime committed before July 1, 2014) or a Level 5  
 46 felony (for a crime committed after June 30, 2014);

- 1 (F) neglect of a dependent (IC 35-46-1-4) as a Class B felony  
 2 (for a crime committed before July 1, 2014) or a Level 1 or  
 3 Level 3 felony (for a crime committed after June 30, 2014);  
 4 (G) promotion of human labor trafficking, promotion of human  
 5 sexual trafficking, promotion of child sexual trafficking,  
 6 promotion of sexual trafficking of a younger child, child  
 7 sexual trafficking, or human trafficking (IC 35-42-3.5-1  
 8 through IC 35-42-3.5-1.4) as a felony; or  
 9 (H) a comparable offense described in clauses (A) through (G)  
 10 under federal law or in another state, territory, or country;  
 11 against a child described in IC 31-35-3-4(2)(B).
- 12 (4) The parental rights of a parent with respect to a biological or  
 13 adoptive sibling of the child have been involuntarily terminated  
 14 by a court under:
- 15 (A) IC 31-35-2 (involuntary termination involving a  
 16 delinquent child or a child in need of services);  
 17 (B) IC 31-35-3 (involuntary termination involving an  
 18 individual convicted of a criminal offense); or  
 19 (C) any comparable law described in clause (A) or (B) in any  
 20 other state, territory, or country.
- 21 (5) The child is an abandoned infant, provided that the court:
- 22 (A) has appointed a guardian ad litem or court appointed  
 23 special advocate for the child; and  
 24 (B) after receiving a written report and recommendation from  
 25 the guardian ad litem or court appointed special advocate, and  
 26 after a hearing, finds that reasonable efforts to locate the  
 27 child's parents or reunify the child's family would not be in the  
 28 best interests of the child.
- 29 (6) The child is a safe haven infant.
- 30 (7) The child:
- 31 (A) was the subject of two (2) or more previous:
- 32 (i) child in need of services proceedings under this chapter;  
 33 or  
 34 (ii) proceedings under comparable law in another state; and  
 35 (B) was removed from the home of the child's parent,  
 36 guardian, or custodian under:
- 37 (i) a dispositional decree entered under IC 31-34-20-1; or  
 38 (ii) a court order issued under comparable law in another  
 39 state;  
 40 in each of the proceedings described in clause (A);  
 41 and the court finds that each removal described in clause (B) was  
 42 the result of conditions caused by the parent, guardian, or  
 43 custodian.
- 44 (c) During or at any time after the first periodic case review under  
 45 IC 31-34-21-2 of a child in need of services proceeding, if the court  
 46 finds that a parent, guardian, or custodian of the child has been charged

1 with an offense described in subsection (b)(3) and is awaiting trial, the  
2 court may make a finding that reasonable efforts to reunify the child  
3 with the child's parent, guardian, or custodian or preserve the child's  
4 family as described in section 5.5 of this chapter may be suspended  
5 pending the disposition of the parent's, guardian's, or custodian's  
6 criminal charge.

7 SECTION 32. IC 31-35-3-4, AS AMENDED BY P.L.214-2013,  
8 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
9 JULY 1, 2026]: Sec. 4. If:

- 10 (1) an individual is convicted of the offense of:
  - 11 (A) murder (IC 35-42-1-1);
  - 12 (B) causing suicide (IC 35-42-1-2);
  - 13 (C) voluntary manslaughter (IC 35-42-1-3);
  - 14 (D) involuntary manslaughter (IC 35-42-1-4);
  - 15 (E) rape (IC 35-42-4-1);
  - 16 (F) criminal deviate conduct (IC 35-42-4-2) (repealed);
  - 17 (G) child molesting (IC 35-42-4-3);
  - 18 (H) child exploitation (IC 35-42-4-4);
  - 19 (I) sexual misconduct with a minor (IC 35-42-4-9); ~~or~~
  - 20 **(J) sex with a minor (IC 35-42-4-9.5); or**
  - 21 ~~(K)~~ **(K)** incest (IC 35-46-1-3); and
- 22 (2) the victim of the offense:
  - 23 (A) was less than:
    - 24 **(i) sixteen (16) years of age at the time of the offense for an**
    - 25 **offense described in subdivision (1)(A) through (1)(I) or**
    - 26 **subdivision (1)(K); and or**
    - 27 **(ii) eighteen (18) years of age at the time of the offense**
    - 28 **for an offense described in subdivision (1)(J); and**
  - 29 (B) is:
    - 30 (i) the individual's biological or adoptive child; or
    - 31 (ii) the child of a spouse of the individual who has
    - 32 committed the offense;

33 the attorney for the department, the child's guardian ad litem, or the  
34 court appointed special advocate may file a petition with the juvenile  
35 or probate court to terminate the parent-child relationship of the  
36 individual who has committed the offense with the victim of the  
37 offense, the victim's siblings, or any biological or adoptive child of that  
38 individual."

39 Page 19, between lines 37 and 38, begin a new paragraph and insert:  
40 "SECTION 37. IC 35-31.5-2-216, AS AMENDED BY P.L.48-2017,  
41 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
42 JULY 1, 2026]: Sec. 216. "Offense relating to a criminal sexual act"  
43 means the following:

- 44 (1) Rape (IC 35-42-4-1).
- 45 (2) Criminal deviate conduct (IC 35-42-4-2) (repealed).
- 46 (3) Child molesting (IC 35-42-4-3).

- 1 (4) Child seduction (IC 35-42-4-7).
- 2 (5) Prostitution (IC 35-45-4-2).
- 3 (6) Making an unlawful proposition (IC 35-45-4-3).
- 4 (7) Incest (IC 35-46-1-3).
- 5 (8) Sexual misconduct with a minor under IC 35-42-4-9(a).
- 6 **(9) Sex with a minor under IC 35-42-4-9.5(a)."**
- 7 Page 24, between lines 5 and 6, begin a new paragraph and insert:
- 8 "SECTION 45. IC 35-38-2-2.4, AS AMENDED BY P.L.1-2010,
- 9 SECTION 142, IS AMENDED TO READ AS FOLLOWS
- 10 [EFFECTIVE JULY 1, 2026]: Sec. 2.4. As a condition of probation, the
- 11 court may require a sex offender (as defined in IC 11-8-8-4.5) to:
- 12 (1) participate in a treatment program for sex offenders approved
- 13 by the court; and
- 14 (2) avoid contact with any person who is less than ~~sixteen (16)~~
- 15 **eighteen (18)** years of age unless the probationer:
- 16 (A) receives the court's approval; or
- 17 (B) successfully completes the treatment program referred to
- 18 in subdivision (1)."
- 19 Page 25, between lines 22 and 23, begin a new paragraph and insert:
- 20 "SECTION 48. IC 35-38-2-2.7, AS AMENDED BY P.L.5-2022,
- 21 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 22 JULY 1, 2026]: Sec. 2.7. As a condition of probation or parole after
- 23 conviction for a sex offense (as defined in IC 11-8-8-5.2), the court
- 24 shall prohibit the convicted person from using a social networking ~~web~~
- 25 **site website** or an instant messaging or chat room program to
- 26 communicate with a child less than ~~sixteen (16)~~ **eighteen (18)** years of
- 27 age. However, the court may permit the offender to communicate using
- 28 a social networking ~~web site website~~ or an instant messaging or chat
- 29 room program with:
- 30 (1) the offender's own child, stepchild, or sibling; or
- 31 (2) another relative of the offender specifically named in the
- 32 court's order.
- 33 SECTION 49. IC 35-41-4-2, AS AMENDED BY P.L.112-2025,
- 34 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 35 JULY 1, 2026]: Sec. 2. (a) Except as otherwise provided in this section,
- 36 a prosecution for an offense is barred unless it is commenced:
- 37 (1) within five (5) years after the commission of the offense, in
- 38 the case of a Class B, Class C, or Class D felony (for a crime
- 39 committed before July 1, 2014) or a Level 3, Level 4, Level 5, or
- 40 Level 6 felony (for a crime committed after June 30, 2014); or
- 41 (2) within two (2) years after the commission of the offense, in the
- 42 case of a misdemeanor.
- 43 (b) A prosecution for a Class B or Class C felony (for a crime
- 44 committed before July 1, 2014) or a Level 3, Level 4, or Level 5 felony
- 45 (for a crime committed after June 30, 2014) that would otherwise be
- 46 barred under this section may be commenced within one (1) year after

1 the earlier of the date on which the state:  
2 (1) first discovers evidence sufficient to charge the offender with  
3 the offense through DNA (deoxyribonucleic acid) analysis; or  
4 (2) could have discovered evidence sufficient to charge the  
5 offender with the offense through DNA (deoxyribonucleic acid)  
6 analysis by the exercise of due diligence.  
7 However, if the offense is a sex offense against a child described in  
8 subsection (m), a prosecution otherwise barred under this section may  
9 be prosecuted in accordance with subsection (p).  
10 (c) Except as provided in subsection (e), a prosecution for a Class  
11 A felony (for a crime committed before July 1, 2014) or a Level 1  
12 felony or Level 2 felony (for a crime committed after June 30, 2014)  
13 may be commenced at any time.  
14 (d) A prosecution for murder may be commenced:  
15 (1) at any time; and  
16 (2) regardless of the amount of time that passes between:  
17 (A) the date a person allegedly commits the elements of  
18 murder; and  
19 (B) the date the alleged victim of the murder dies.  
20 (e) Except as provided in subsection (p), a prosecution for the  
21 following offenses is barred unless commenced before the date that the  
22 alleged victim of the offense reaches thirty-one (31) years of age:  
23 (1) IC 35-42-4-3 (Child molesting).  
24 (2) IC 35-42-4-5 (Vicarious sexual gratification).  
25 (3) IC 35-42-4-6 (Child solicitation).  
26 (4) IC 35-42-4-7 (Child seduction).  
27 (5) IC 35-42-4-9 (Sexual misconduct with a minor).  
28 **(6) IC 35-42-4-9.5 (Sex with a minor).**  
29 ~~(7) IC 35-46-1-3 (Incest).~~  
30 (f) A prosecution for forgery of an instrument for payment of  
31 money, or for the uttering of a forged instrument, under IC 35-43-5-2,  
32 is barred unless it is commenced within five (5) years after the maturity  
33 of the instrument.  
34 (g) If a complaint, indictment, or information is dismissed because  
35 of an error, defect, insufficiency, or irregularity, a new prosecution may  
36 be commenced within ninety (90) days after the dismissal even if the  
37 period of limitation has expired at the time of dismissal, or will expire  
38 within ninety (90) days after the dismissal.  
39 (h) The period within which a prosecution must be commenced does  
40 not include any period in which:  
41 (1) the accused person is not usually and publicly resident in  
42 Indiana or so conceals himself or herself that process cannot be  
43 served;  
44 (2) the accused person conceals evidence of the offense, and  
45 evidence sufficient to charge the person with that offense is  
46 unknown to the prosecuting authority and could not have been

- 1 discovered by that authority by exercise of due diligence; or  
 2 (3) the accused person is a person elected or appointed to office  
 3 under statute or constitution, if the offense charged is theft or  
 4 conversion of public funds or bribery while in public office.
- 5 (i) For purposes of tolling the period of limitation only, a  
 6 prosecution is considered commenced on the earliest of these dates:  
 7 (1) The date of filing of an indictment, information, or complaint  
 8 before a court having jurisdiction.  
 9 (2) The date of issuance of a valid arrest warrant.  
 10 (3) The date of arrest of the accused person by a law enforcement  
 11 officer without a warrant, if the officer has authority to make the  
 12 arrest.
- 13 (j) A prosecution is considered timely commenced for any offense  
 14 to which the defendant enters a plea of guilty, notwithstanding that the  
 15 period of limitation has expired.
- 16 (k) The following apply to the specified offenses:  
 17 (1) A prosecution for an offense under IC 30-2-9-7(b) (misuse of  
 18 funeral trust funds) is barred unless commenced within five (5)  
 19 years after the date of death of the settlor (as described in  
 20 IC 30-2-9).  
 21 (2) A prosecution for an offense under IC 30-2-10-9(b) (misuse  
 22 of funeral trust funds) is barred unless commenced within five (5)  
 23 years after the date of death of the settlor (as described in  
 24 IC 30-2-10).  
 25 (3) A prosecution for an offense under IC 30-2-13-38(f) (misuse  
 26 of funeral trust or escrow account funds) is barred unless  
 27 commenced within five (5) years after the date of death of the  
 28 purchaser (as defined in IC 30-2-13-9).
- 29 (l) A prosecution for an offense under IC 23-2-6, IC 23-2.5,  
 30 IC 23-14-48-9, or IC 23-19 is barred unless commenced within five (5)  
 31 years after the earlier of the date on which the state:  
 32 (1) first discovers evidence sufficient to charge the offender with  
 33 the offense; or  
 34 (2) could have discovered evidence sufficient to charge the  
 35 offender with the offense by the exercise of due diligence.
- 36 (m) Except as provided in subsection (p), a prosecution for a sex  
 37 offense listed in IC 11-8-8-4.5 that is committed against a child and  
 38 that is not:  
 39 (1) a Class A felony (for a crime committed before July 1, 2014)  
 40 or a Level 1 felony or Level 2 felony (for a crime committed after  
 41 June 30, 2014); or  
 42 (2) listed in subsection (e);  
 43 is barred unless commenced within ten (10) years after the commission  
 44 of the offense, or within four (4) years after the person ceases to be a  
 45 dependent of the person alleged to have committed the offense,  
 46 whichever occurs later.

1 (n) A prosecution for rape (IC 35-42-4-1) as a Class B felony (for a  
2 crime committed before July 1, 2014) or as a Level 3 felony (for a  
3 crime committed after June 30, 2014) that would otherwise be barred  
4 under this section may be commenced not later than ten (10) years after  
5 the earlier of the date on which:

- 6 (1) the state first discovers evidence sufficient to charge the  
7 offender with the offense through DNA (deoxyribonucleic acid)  
8 analysis;
- 9 (2) the state first becomes aware of the existence of a recording  
10 (as defined in IC 35-31.5-2-273) that provides evidence sufficient  
11 to charge the offender with the offense; or
- 12 (3) a person confesses to the offense.

13 (o) A prosecution for criminal deviate conduct (IC 35-42-4-2)  
14 (repealed) as a Class B felony for a crime committed before July 1,  
15 2014, that would otherwise be barred under this section may be  
16 commenced not later than five (5) years after the earliest of the date on  
17 which:

- 18 (1) the state first discovers evidence sufficient to charge the  
19 offender with the offense through DNA (deoxyribonucleic acid)  
20 analysis;
- 21 (2) the state first becomes aware of the existence of a recording  
22 (as defined in IC 35-31.5-2-273) that provides evidence sufficient  
23 to charge the offender with the offense; or
- 24 (3) a person confesses to the offense.

25 (p) A prosecution for an offense described in subsection (e) or  
26 ~~subsection (m)~~ that would otherwise be barred under this section may  
27 be commenced not later than five (5) years after the earliest of the date  
28 on which:

- 29 (1) the state first discovers evidence sufficient to charge the  
30 offender with the offense through DNA (deoxyribonucleic acid)  
31 analysis;
- 32 (2) the state first becomes aware of the existence of a recording  
33 (as defined in IC 35-31.5-2-273) that provides evidence sufficient  
34 to charge the offender with the offense; or
- 35 (3) a person confesses to the offense."

36 Page 38, between lines 3 and 4, begin a new paragraph and insert:  
37 "SECTION 53. IC 35-42-4-9.5 IS ADDED TO THE INDIANA  
38 CODE AS A NEW SECTION TO READ AS FOLLOWS  
39 [EFFECTIVE JULY 1, 2026]: **Sec. 9.5. (a) A person at least:**

- 40 **(1) twenty-four (24) years of age who, with a child who is**  
41 **sixteen (16) years of age; or**
- 42 **(2) twenty-five (25) years of age who, with a child who is at**  
43 **least sixteen (16) years of age but less than eighteen (18) years**  
44 **of age;**

45 **performs or submits to sexual intercourse or other sexual conduct**  
46 **(as defined in IC 35-31.5-2-221.5) commits sex with a minor, a**

1 **Level 5 felony.**  
 2 **(b) A person at least:**  
 3 **(1) twenty-four (24) years of age who, with a child who is**  
 4 **sixteen (16) years of age; or**  
 5 **(2) twenty-five (25) years of age who, with a child who is at**  
 6 **least sixteen (16) years of age but less than eighteen (18) years**  
 7 **of age;**  
 8 **performs or submits to any fondling or touching of either the child**  
 9 **or the older person, with intent to arouse or to satisfy the sexual**  
 10 **desires of either the child or the older person, commits sex with a**  
 11 **minor, a Level 6 felony.**

12 **(c) It is a defense that the accused person reasonably believed**  
 13 **that the child was at least eighteen (18) years of age at the time of**  
 14 **the conduct.**

15 **(d) It is a defense that the child is or has ever been married."**  
 16 Page 39, between lines 21 and 22, begin a new paragraph and insert:  
 17 "SECTION 55. IC 35-42-4-12, AS AMENDED BY P.L.5-2022,  
 18 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 19 JULY 1, 2026]: Sec. 12. (a) This section applies only to a sex offender  
 20 (as defined in IC 11-8-8-4.5).

21 (b) A sex offender who knowingly or intentionally violates a:  
 22 (1) condition of probation;  
 23 (2) condition of parole; or  
 24 (3) rule of a community transition program;  
 25 that prohibits the offender from using a social networking ~~web site~~  
 26 **website** or an instant messaging or chat room program to communicate  
 27 with a child less than ~~sixteen (16)~~ **eighteen (18)** years of age commits  
 28 a sex offender Internet offense, a Class A misdemeanor. However, the  
 29 offense is a Level 6 felony if the person has a prior unrelated  
 30 conviction under this section.

31 (c) It is a defense to a prosecution under subsection (b) that the  
 32 person reasonably believed that the child was at least ~~sixteen (16)~~  
 33 **eighteen (18)** years of age."

34 Page 40, between lines 1 and 2, begin a new line double block  
 35 indented and insert:

36 **"(I) Sex with a minor (IC 35-42-4-9.5)."**  
 37 Page 40, between lines 19 and 20, begin a new paragraph and insert:  
 38 "SECTION 58. IC 35-44.1-3-9, AS AMENDED BY P.L.45-2022,  
 39 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 JULY 1, 2026]: Sec. 9. A person who is being supervised on lifetime  
 41 parole (as described in IC 35-50-6-1) and who knowingly or  
 42 intentionally:  
 43 (1) violates a condition (including a special condition imposed by  
 44 the parole board) of lifetime parole; or  
 45 (2) without the authorization of the parole board, has direct or  
 46 indirect contact with:

1 (A) a child less than ~~sixteen (16)~~ **eighteen (18)** years of age;  
2 or  
3 (B) the victim of a sex offense committed by the person;  
4 commits criminal violation of a lifetime parole condition, a Level 6  
5 felony. However, the offense is a Level 5 felony if the person has a  
6 prior unrelated conviction under this section."  
7 Page 45, between lines 33 and 34, begin a new paragraph and insert:  
8 "SECTION 62. IC 35-50-2-14, AS AMENDED BY P.L.142-2020,  
9 SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 2026]: Sec. 14. (a) As used in this section, "sex offense"  
11 means a felony conviction under IC 35-42-4-1 through ~~IC 35-42-4-9~~  
12 **IC 35-42-4-9.5** or under IC 35-46-1-3.  
13 (b) The state may seek to have a person sentenced as a repeat sexual  
14 offender for a sex offense described in subsection (a) by alleging, on a  
15 page separate from the rest of the charging instrument, that the person  
16 has accumulated one (1) prior unrelated felony conviction for a sex  
17 offense described in subsection (a).  
18 (c) After a person has been convicted and sentenced for a felony  
19 described in subsection (a) after having been sentenced for a prior  
20 unrelated sex offense described in subsection (a), the person has  
21 accumulated one (1) prior unrelated felony sex offense conviction.  
22 However, a conviction does not count for purposes of this subsection,  
23 if:  
24 (1) it has been set aside; or  
25 (2) it is a conviction for which the person has been pardoned.  
26 (d) If the person was convicted of the sex offense in a jury trial, the  
27 jury shall reconvene to hear evidence in the enhancement hearing. If  
28 the trial was to the court, or the judgment was entered on a guilty plea,  
29 the court alone shall hear evidence in the enhancement hearing.  
30 (e) A person is a repeat sexual offender if the jury (if the hearing is  
31 by jury) or the court (if the hearing is to the court alone) finds that the  
32 state has proved beyond a reasonable doubt that the person had  
33 accumulated one (1) prior unrelated felony sex offense conviction.  
34 (f) The court may sentence a person found to be a repeat sexual  
35 offender to an additional fixed term that is the advisory sentence for the  
36 underlying offense. However, the additional sentence may not exceed  
37 ten (10) years."  
38 Renumber all SECTIONS consecutively.  
(Reference is to EHB 1303 as printed February 20, 2026.)

\_\_\_\_\_  
Senator BOHACEK