



COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Corrections and Criminal Law, to which was referred House Bill No. 1303, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

1 Page 4, delete lines 11 through 42, begin a new paragraph and
2 insert:
3 "SECTION 3. IC 10-13-5-4 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. As used in this
5 chapter, "missing child" means a person less than eighteen (18) years
6 of age who:
7 (1) is, or is believed to be:
8 (A) a temporary or permanent resident of Indiana;
9 (B) at a location that cannot be determined by the person's
10 parent or legal custodian; and
11 (C) reported missing to a law enforcement agency; ~~or~~
12 (2) is, or is believed to be:
13 (A) a temporary or permanent resident of Indiana; and
14 (B) a victim of the offense of criminal confinement (IC
15 35-42-3-3) or interference with custody (IC 35-42-3-4); ~~or~~
16 **(3) is, or is believed to be, a high risk missing person (as**
17 **defined by IC 5-2-17-1).**
18 SECTION 4. IC 11-8-8-4.5, AS AMENDED BY P.L.218-2025,
19 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

1 JULY 1, 2026]: Sec. 4.5. (a) Except as provided in section 22 of this
 2 chapter, as used in this chapter, "sex offender" means a person
 3 convicted of any of the following offenses:

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

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

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

7 (4) Child exploitation (~~IC 35-42-4-4(b) or IC 35-42-4-4(c)~~): **(IC**
 8 **35-42-4-4).**

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

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

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

13 (8) Sexual misconduct with a minor (IC 35-42-4-9) as a Class A,
 14 Class B, or Class C felony (for a crime committed before July 1,
 15 2014) or a Level 1, Level 2, Level 4, or Level 5 felony (for a
 16 crime committed after June 30, 2014), unless:

17 (A) the person is convicted of sexual misconduct with a minor
 18 as a Class C felony (for a crime committed before July 1,
 19 2014) or a Level 5 felony (for a crime committed after June
 20 30, 2014);

21 (B) the person is not more than:

22 (i) four (4) years older than the victim if the offense was
 23 committed after June 30, 2007; or

24 (ii) five (5) years older than the victim if the offense was
 25 committed before July 1, 2007; and

26 (C) the sentencing court finds that the person should not be
 27 required to register as a sex offender.

28 (9) Incest (IC 35-46-1-3).

29 (10) Sexual battery (IC 35-42-4-8).

30 (11) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen
 31 (18) years of age, and the person who kidnapped the victim is not
 32 the victim's parent or guardian.

33 (12) Criminal confinement (IC 35-42-3-3), if the victim is less
 34 than eighteen (18) years of age, and the person who confined or
 35 removed the victim is not the victim's parent or guardian.

36 (13) Possession of child sex abuse material (IC 35-42-4-4(d) or
 37 IC 35-42-4-4(e)) **(before July 1, 2026), or a child sex abuse**
 38 **material offense under IC 35-42-4-4.5 (after June 30, 2026).**

- 1 (14) Promoting prostitution (IC 35-45-4-4) as a Class B felony
 2 (for a crime committed before July 1, 2014) or a Level 4 felony
 3 (for a crime committed after June 30, 2014).
 4 (15) Promotion of human sexual trafficking under
 5 IC 35-42-3.5-1.1.
 6 (16) Promotion of child sexual trafficking under
 7 IC 35-42-3.5-1.2(a).
 8 (17) Promotion of sexual trafficking of a younger child (IC
 9 35-42-3.5-1.2(c)).
 10 (18) Child sexual trafficking (IC 35-42-3.5-1.3).
 11 (19) Human trafficking under IC 35-42-3.5-1.4 if the victim is
 12 less than eighteen (18) years of age.
 13 (20) Sexual misconduct by a service provider with a detained or
 14 supervised child (IC 35-44.1-3-10(c)).
 15 (b) The term includes:
 16 (1) a person who is required to register as a sex offender in any
 17 jurisdiction; ~~and~~
 18 **(2) a person who has been designated:**
 19 **(A) a sex offender;**
 20 **(B) a sexually violent predator; or**
 21 **(C) with a substantially equivalent designation;**
 22 **in another jurisdiction and who was or would be subjected to**
 23 **the sex offender registration reporting requirements in the**
 24 **other jurisdiction if the person resided, worked, volunteered,**
 25 **attended school, or owned real property in that jurisdiction,**
 26 **as determined by the department;**
 27 **(3) a person who has been convicted of failure to register as a**
 28 **sex offender in any jurisdiction; and**
 29 ~~(2)~~ **(4) a child who has committed a delinquent act, or a person**
 30 **prosecuted under IC 31-30-1-4(d) for an offense described in**
 31 **subsection (a) committed when the person was less than eighteen**
 32 **(18) years of age, but who was at least twenty-one (21) years of**
 33 **age when the charge was filed, and who:**
 34 **(A) is at least fourteen (14) years of age;**
 35 **(B) is on probation, is on parole, is discharged from a facility**
 36 **by the department of correction, is discharged from a secure**
 37 **private facility (as defined in IC 31-9-2-115), or is discharged**
 38 **from a juvenile detention facility as a result of an adjudication**

1 as a delinquent child for an act that would be an offense
 2 described in subsection (a) if committed by an adult; and
 3 (C) is found by a court by clear and convincing evidence to be
 4 likely to repeat an act that would be an offense described in
 5 subsection (a) if committed by an adult.

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

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

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

- 21 (1) Rape (IC 35-42-4-1).
- 22 (2) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
- 23 (3) Child molesting (IC 35-42-4-3).
- 24 (4) Child exploitation ~~(IC 35-42-4-4(b) or IC 35-42-4-4(c))~~; **(IC**
 25 **35-42-4-4)**.
- 26 (5) Vicarious sexual gratification (including performing sexual
 27 conduct in the presence of a minor) (IC 35-42-4-5).
- 28 (6) Child solicitation (IC 35-42-4-6).
- 29 (7) Child seduction (IC 35-42-4-7).
- 30 (8) Sexual misconduct with a minor (IC 35-42-4-9) as a Class A,
 31 Class B, or Class C felony (for a crime committed before July 1,
 32 2014) or a Level 1, Level 2, Level 4, or Level 5 felony (for a
 33 crime committed after June 30, 2014), unless:
 34 (A) the person is convicted of sexual misconduct with a minor
 35 as a Class C felony (for a crime committed before July 1,
 36 2014) or a Level 5 felony (for a crime committed after June
 37 30, 2014);
 38 (B) the person is not more than:

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

- 1 **(B) a sexually violent predator; or**
 2 **(C) with a substantially equivalent designation;**
 3 **in another jurisdiction, and who was or would be subjected to**
 4 **the sex offender registration reporting requirements in the**
 5 **other jurisdiction if the person resided, worked, volunteered,**
 6 **attended school, or owned real property in that jurisdiction,**
 7 **as determined by the department;**
 8 **(3) a person who has been convicted of failure to register as a**
 9 **sex offender in any jurisdiction; and**
 10 ~~(2)~~ **(4) a child who has committed a delinquent act, or a person**
 11 prosecuted under IC 31-30-1-4(d) for an offense described in
 12 subsection (a) committed when the person was less than eighteen
 13 (18) years of age, but who was at least twenty-one (21) years of
 14 age when the charge was filed, and who:
 15 (A) is at least fourteen (14) years of age;
 16 (B) is on probation, is on parole, is discharged from a facility
 17 by the department of correction, is discharged from a secure
 18 private facility (as defined in IC 31-9-2-115), or is discharged
 19 from a juvenile detention facility as a result of an adjudication
 20 as a delinquent child for an act that would be an offense
 21 described in subsection (a) if committed by an adult; and
 22 (C) is found by a court by clear and convincing evidence to be
 23 likely to repeat an act that would be an offense described in
 24 subsection (a) if committed by an adult.
 25 (c) In making a determination under subsection ~~(b)(2)(C); (b)(4)(C),~~
 26 the court shall consider expert testimony concerning whether a child is
 27 likely to repeat an act that would be an offense described in subsection
 28 (a) if committed by an adult.
 29 (d) A person ordered to register under subsection ~~(b)(2) (b)(4)~~ may
 30 petition the court to reconsider the order at any time after completing
 31 court ordered sex offender treatment. The court shall consider expert
 32 testimony concerning whether a child or person is likely to repeat an
 33 offense described in subsection (a) or an act that would be an offense
 34 described in subsection (a) if committed by an adult.
 35 SECTION 6. IC 11-8-8-7.5 IS ADDED TO THE INDIANA CODE
 36 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 37 1, 2026]: **Sec. 7.5. (a) This section applies to a person required to**
 38 **register as a:**

1 **(1) sex offender under section 4.5(b)(2) of this chapter; or**
 2 **(2) sex or violent offender under section 5(b)(2) of this**
 3 **chapter.**

4 **(b) A person may request that the department reconsider its**
 5 **determination that the person is required to register under section**
 6 **4.5(b)(2) or 5(b)(2) of this chapter by filing a written request for**
 7 **reconsideration with the department. The request for**
 8 **reconsideration must:**

9 **(1) be verified; and**
 10 **(2) include a concise explanation of why the person is entitled**
 11 **to relief.**

12 **The person may include any relevant evidence to establish that the**
 13 **person is not required to register under section 4.5(b)(2) or 5(b)(2)**
 14 **of this chapter.**

15 **(c) The department shall issue a written ruling not later than**
 16 **thirty (30) days after receipt of the request.**

17 **(d) If the person establishes by a preponderance of the evidence**
 18 **that the person is not required to register under section 4.5(b)(2)**
 19 **or 5(b)(2) of this chapter, the department shall grant appropriate**
 20 **relief.**

21 SECTION 7. IC 11-8-8-19, AS AMENDED BY P.L.1-2025,
 22 SECTION 158, IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2026]: Sec. 19. (a) Except as provided in
 24 subsections (b) through (f), a sex or violent offender is required to
 25 register under this chapter until the expiration of ten (10) years after the
 26 date the sex or violent offender:

27 (1) is released from a penal facility (as defined in
 28 IC 35-31.5-2-232) or a secure juvenile detention facility of a state
 29 or another jurisdiction;
 30 (2) is placed in a community transition program;
 31 (3) is placed in a community corrections program;
 32 (4) is placed on parole; or
 33 (5) is placed on probation;

34 for the sex or violent offense requiring registration, whichever occurs
 35 last. The registration period is tolled during any period that the sex or
 36 violent offender is incarcerated. The registration period does not restart
 37 if the offender is convicted of a subsequent offense. However, if the
 38 subsequent offense is a sex or violent offense, or an offense under

1 section 17 of this chapter, a new registration period may be imposed in
 2 accordance with this chapter. The department shall ensure that an
 3 offender who is no longer required to register as a sex or violent
 4 offender is notified that the obligation to register has expired, and shall
 5 ensure that the offender's information is no longer published to the
 6 public portal of the sex and violent offender registry website
 7 established under IC 36-2-13-5.5.

8 (b) A sex or violent offender who is a sexually violent predator is
 9 required to register for life.

10 (c) A sex or violent offender who is convicted of at least one (1)
 11 offense under section 5(a) of this chapter that the sex or violent
 12 offender committed:

- 13 (1) when the person was at least eighteen (18) years of age; and
- 14 (2) against a victim who was less than twelve (12) years of age at
 15 the time of the crime;

16 is required to register for life.

17 (d) A sex or violent offender who is convicted of at least one (1)
 18 offense under section 5(a) of this chapter in which the sex offender:

- 19 (1) proximately caused serious bodily injury or death to the
 20 victim;
- 21 (2) used force or the threat of force against the victim or a
 22 member of the victim's family, unless the offense is sexual battery
 23 as a Class D felony (for an offense committed before July 1,
 24 2014) or a Level 6 felony (for a crime committed after June 30,
 25 2014); or
- 26 (3) rendered the victim unconscious or otherwise incapable of
 27 giving voluntary consent;

28 is required to register for life.

29 (e) A sex or violent offender who is convicted of at least two (2)
 30 unrelated offenses under section 5(a) of this chapter is required to
 31 register for life.

32 (f) A person who is ~~required to register as a sex or violent offender~~
 33 ~~in any jurisdiction a:~~

- 34 (1) **sex offender under section 4.5 of this chapter; or**
- 35 (2) **sex or violent offender under section 5 of this chapter;**

36 shall register for the period required by ~~the other another~~ jurisdiction
 37 or the period described in this section, whichever is longer."

38 Delete pages 5 through 7.

- 1 Page 8, delete lines 1 through 8.
- 2 Page 14, between lines 25 and 26, begin a new paragraph and insert:
- 3 "SECTION 24. IC 35-38-1-7.5, AS AMENDED BY P.L.186-2025,
- 4 SECTION 229, IS AMENDED TO READ AS FOLLOWS
- 5 [EFFECTIVE JULY 1, 2026]: Sec. 7.5. (a) As used in this section,
- 6 "sexually violent predator" means a person who suffers from a mental
- 7 abnormality or personality disorder that makes the individual likely to
- 8 repeatedly commit a sex offense (as defined in IC 11-8-8-5.2). The
- 9 term includes a person convicted in another jurisdiction who is
- 10 identified as a sexually violent predator under IC 11-8-8-20. The term
- 11 does not include a person no longer considered a sexually violent
- 12 predator under subsection (g).
- 13 (b) A person who:
- 14 (1) being at least eighteen (18) years of age, commits an offense
- 15 described in:
- 16 (A) IC 35-42-4-1;
- 17 (B) IC 35-42-4-2 (before its repeal);
- 18 (C) IC 35-42-4-3 as a Class A or Class B felony (for a crime
- 19 committed before July 1, 2014) or a Level 1, Level 2, Level 3,
- 20 or Level 4 felony (for a crime committed after June 30, 2014);
- 21 (D) IC 35-42-4-5(a)(1);
- 22 (E) IC 35-42-4-5(a)(2);
- 23 (F) IC 35-42-4-5(a)(3) (before that provision was redesignated
- 24 by P.L.158-2013, SECTION 441);
- 25 (G) IC 35-42-4-5(b)(1) as a Class A or Class B felony (for a
- 26 crime committed before July 1, 2014) or Level 2, Level 3, or
- 27 Level 4 felony (for a crime committed after June 30, 2014);
- 28 (H) IC 35-42-4-5(b)(2); or
- 29 (I) IC 35-42-4-5(b)(3) as a Class A or Class B felony (for a
- 30 crime committed before July 1, 2014) or a Level 2, Level 3, or
- 31 Level 4 felony (for a crime committed after June 30, 2014);
- 32 (2) commits a sex offense (as defined in IC 11-8-8-5.2) while
- 33 having a previous unrelated conviction for a sex offense for which
- 34 the person is required to register as a sex or violent offender under
- 35 IC 11-8-8;
- 36 (3) commits a sex offense (as defined in IC 11-8-8-5.2) while
- 37 having had a previous unrelated adjudication as a delinquent child
- 38 for an act that would be a sex offense if committed by an adult, if,

1 after considering expert testimony, a court finds by clear and
 2 convincing evidence that the person is likely to commit an
 3 additional sex offense; or

4 (4) commits a sex offense (as defined in IC 11-8-8-5.2) while
 5 having had a previous unrelated adjudication as a delinquent child
 6 for an act that would be a sex offense if committed by an adult, if
 7 the person was required to register as a sex or violent offender
 8 under ~~IC 11-8-8-5(b)(2)~~; **IC 11-8-8-5(b)(4)**;

9 is a sexually violent predator. Except as provided in subsection (g) or
 10 (h), a person is a sexually violent predator by operation of law if an
 11 offense committed by the person satisfies the conditions set forth in
 12 subdivision (1) or (2) and the person was released from incarceration,
 13 secure detention, probation, or parole for the offense after June 30,
 14 1994.

15 (c) This section applies whenever a court sentences a person or a
 16 juvenile court issues a dispositional decree for a sex offense (as defined
 17 in IC 11-8-8-5.2) for which the person is required to register with the
 18 local law enforcement authority under IC 11-8-8.

19 (d) At the sentencing hearing, the court shall indicate on the record
 20 whether the person has been convicted of an offense that makes the
 21 person a sexually violent predator under subsection (b).

22 (e) If a person is not a sexually violent predator under subsection
 23 (b), the prosecuting attorney may request the court to conduct a hearing
 24 to determine whether the person (including a child adjudicated to be a
 25 delinquent child) is a sexually violent predator under subsection (a). If
 26 the court grants the motion, the court shall appoint two (2)
 27 psychologists or psychiatrists who have expertise in criminal
 28 behavioral disorders to evaluate the person and testify at the hearing.
 29 After conducting the hearing and considering the testimony of the two
 30 (2) psychologists or psychiatrists, the court shall determine whether the
 31 person is a sexually violent predator under subsection (a). A hearing
 32 conducted under this subsection may be combined with the person's
 33 sentencing hearing.

34 (f) If a person is a sexually violent predator:

35 (1) the person is required to register with the local law
 36 enforcement authority as provided in IC 11-8-8; and

37 (2) the court shall send notice to the department of correction.

38 (g) This subsection does not apply to a person who has two (2) or

1 more unrelated convictions for an offense described in IC 11-8-8-4.5
 2 for which the person is required to register under IC 11-8-8. A person
 3 who is a sexually violent predator may petition the court to consider
 4 whether the person should no longer be considered a sexually violent
 5 predator. The person may file a petition under this subsection not
 6 earlier than ten (10) years after:

7 (1) the sentencing court or juvenile court makes its determination
 8 under subsection (e); or

9 (2) the person is released from incarceration or secure detention.

10 A person may file a petition under this subsection not more than one
 11 (1) time per year. A court may dismiss a petition filed under this
 12 subsection or conduct a hearing to determine if the person should no
 13 longer be considered a sexually violent predator. If the court conducts
 14 a hearing, the court shall appoint two (2) psychologists or psychiatrists
 15 who have expertise in criminal behavioral disorders to evaluate the
 16 person and testify at the hearing. After conducting the hearing and
 17 considering the testimony of the two (2) psychologists or psychiatrists,
 18 the court shall determine whether the person should no longer be
 19 considered a sexually violent predator under subsection (a). If a court
 20 finds that the person should no longer be considered a sexually violent
 21 predator, the court shall send notice to the department of correction that
 22 the person is no longer considered a sexually violent predator or an
 23 offender against children. Notwithstanding any other law, a condition
 24 imposed on a person due to the person's status as a sexually violent
 25 predator, including lifetime parole or GPS monitoring, does not apply
 26 to a person no longer considered a sexually violent predator.

27 (h) A person is not a sexually violent predator by operation of law
 28 under subsection (b)(1) if all of the following conditions are met:

29 (1) The victim was not less than twelve (12) years of age at the
 30 time the offense was committed.

31 (2) The person is not more than four (4) years older than the
 32 victim.

33 (3) The relationship between the person and the victim was a
 34 dating relationship or an ongoing personal relationship. The term
 35 "ongoing personal relationship" does not include a family
 36 relationship.

37 (4) The offense committed by the person was not any of the
 38 following:

- 1 (A) Rape (IC 35-42-4-1).
 - 2 (B) Criminal deviate conduct (IC 35-42-4-2) (before its
 - 3 repeal).
 - 4 (C) An offense committed by using or threatening the use of
 - 5 deadly force or while armed with a deadly weapon.
 - 6 (D) An offense that results in serious bodily injury.
 - 7 (E) An offense that is facilitated by furnishing the victim,
 - 8 without the victim's knowledge, with a drug (as defined in
 - 9 IC 16-42-19-2(1)) or a controlled substance (as defined in
 - 10 IC 35-48-1.1-7) or knowing that the victim was furnished with
 - 11 the drug or controlled substance without the victim's
 - 12 knowledge.
 - 13 (5) The person has not committed another sex offense (as defined
 - 14 in IC 11-8-8-5.2) (including a delinquent act that would be a sex
 - 15 offense if committed by an adult) against any other person.
 - 16 (6) The person did not have a position of authority or substantial
 - 17 influence over the victim.
 - 18 (7) The court finds that the person should not be considered a
 - 19 sexually violent predator."
 - 20 Renumber all SECTIONS consecutively.
- (Reference is to HB 1303 as reprinted January 21, 2026.)

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 9, Nays 0.

Freeman

Chairperson