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HOUSE BILL No. 1303

Proposed Changes to introduced printing by AM130301

DIGEST OF PROPOSED AMENDMENT

Penalties. Increases the penalties for certain offenses.

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

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

1 SECTION 1. IC 4-13-2-14.7, AS AMENDED BY P.L.13-2016,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 14.7. A person employed, appointed, or under
4 contract with a state agency, who works with or around children, shall
5 be dismissed (after the appropriate pre-deprivation procedure has
6 occurred) if that person is, or has ever been, convicted of any of the
7 following:

8 (1) Rape (IC~~13~~35-42-4-1), if the victim is less than eighteen (18)
9 years of age.
10 (2) Criminal deviate conduct (IC~~13~~35-42-4-2) (before its repeal),
11 if the victim is less than eighteen (18) years of age.
12 (3) Child molesting (IC~~13~~35-42-4-3).
13 (4) Child exploitation (IC~~13~~35-42-4-4(b) or IC 35-42-4-4(c)).
14 (IC~~13~~35-42-4-4).
15 (5) Vicarious sexual gratification (IC~~13~~35-42-4-5).
16 (6) Child solicitation (IC~~13~~35-42-4-6).
17 (7) Child seduction (IC~~13~~35-42-4-7).
18 (8) Sexual misconduct with a minor (IC~~13~~35-42-4-9) as a Class
19 A or Class B felony (for a crime committed before July 1, 2014)
20 or a Level 1, Level 2, or Level 4 felony (for a crime committed
21 after June 30, 2014).

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(9) Incest (ICL35-46-1-3), if the victim is less than eighteen (18) years of age.

3 SECTION 2. IC 10-13-3-27, AS AMENDED BY P.L.218-2025,
4 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2026]: Sec. 27. (a) Except as provided in subsection (b), on
6 request, a law enforcement agency shall release a limited criminal
7 history to or allow inspection of a limited criminal history by
8 noncriminal justice organizations or individuals only if the subject of
9 the request:

10 (1) has applied for employment with a noncriminal justice
11 organization or individual;

12 (2) has:

13 (A) applied for a license or is maintaining a license; and
14 (B) provided criminal history data as required by law to be
15 provided in connection with the license;

16 (3) is a candidate for public office or a public official;

17 (4) is in the process of being apprehended by a law enforcement
18 agency;

19 (5) is placed under arrest for the alleged commission of a crime;

(6) has charged that the subject's rights have been abused repeatedly by criminal justice agencies;

(7) is the subject of a judicial decision or determination with respect to the setting of bond, plea bargaining, sentencing, or

23 respect to the setting of bond, plea bargaining, sentencing, or
24 probation;
25 (8) has volunteered services that involve contact with, care of, or

(8) has volunteered services that involve contact with, care of, or supervision over a child who is being placed, matched, or monitored by a social services agency or a nonprofit corporation; (9) is currently residing in a location designated by the department of child services (established by IC 31-25-1-1) or by a juvenile court as the out-of-home placement for a child at the time the child will reside in the location;

(10) has volunteered services at a public school (as defined in IC 20-18-2-15) or nonpublic school (as defined in IC 20-18-2-12) that involve contact with, care of, or supervision over a student enrolled in the school;

36 (11) is being investigated for welfare fraud by an investigator of
37 the division of family resources or a county office of the division
38 of family resources;

39 (12) is being sought by the parent locator service
40 support bureau of the department of child services;

(13) is or was required to register as a sex or violent offender under JC 11-8-8;

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(14) has been convicted of any of the following:

- (A) Rape (IC [] 35-42-4-1), if the victim is less than eighteen (18) years of age.
- (B) Criminal deviate conduct (IC [] 35-42-4-2) (repealed), if the victim is less than eighteen (18) years of age.
- (C) Child molesting (IC [] 35-42-4-3).
- (D) Child exploitation (IC [] 35-42-4-4(b) or IC 35-42-4-4(c)). **(IC 35-42-4-4)**.
- (E) Possession of child sex abuse material (IC [] 35-42-4-4(d) or IC 35-42-4-4(e)) **(before July 1, 2026)**, or a child sex abuse material offense described in **IC 35-42-4-4.5 (after June 30, 2026)**.
- (F) Vicarious sexual gratification (IC [] 35-42-4-5).
- (G) Child solicitation (IC [] 35-42-4-6).
- (H) Child seduction (IC [] 35-42-4-7).
- (I) Sexual misconduct with a minor as a felony (IC [] 35-42-4-9).
- (J) Incest (IC [] 35-46-1-3), if the victim is less than eighteen (18) years of age;

(15) is identified as a possible perpetrator of child abuse or neglect in an assessment conducted by the department of child services under IC 31-33-8; or

(16) is:

- (A) a parent, guardian, or custodian of a child; or
- (B) an individual who is at least eighteen (18) years of age and resides in the home of the parent, guardian, or custodian; with whom the department of child services or a county probation department has a case plan, dispositional decree, or permanency plan approved under IC 31-34 or IC 31-37 that provides for reunification following an out-of-home placement.

However, limited criminal history information obtained from the National Crime Information Center may not be released under this section except to the extent permitted by the Attorney General of the United States.

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

- (1) Federally chartered or insured banking institutions.
- (2) Officials of state and local government for any of the following purposes:

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

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(B) Licensing.

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

15 (1) Rape (IC[]35-42-4-1).

16 (2) Criminal deviate conduct (IC[]35-42-4-2) (before its repeal).

17 (3) Child molesting (IC[]35-42-4-3).

18 (4) Child exploitation (IE 35-42-44(b) or IE 35-42-44(c)).

19 (IC1135-42-4-4).

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

(6) Child solicitation (IC 35-42-4-6).
(7) Child 1-1 solicitation (IC 35-42-4-7).

(7) Child seduction (IC 35-42-4-7).
(8) Sexual intercourse with a minor (IC

(8) Sexual misconduct with a minor (IC 135-42-4-9) as a Class A, Class B, or Class C felony (for a crime committed before July 1, 2014) or a Level 1, Level 2, Level 4, or Level 5 felony (for a crime committed after June 30, 2014), unless:

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

31 after June 30, 2014);
32 (B) the person is not more than:

35 (ii) five (5) years older than the victim

38 Required to register as
39 (9) Incest (JC 135-46-1-3)

39 (9) Incest (JC [] 35-40-1-3).
40 (10) Sexual battery (JC [] 35-42-4-8)

(11) Kidnapping (IC []35-42-3-2), if the victim is less than eighteen (18) years of age, and the person who kidnapped the

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1 victim is not the victim's parent or guardian.

2 (12) Criminal confinement (IC []35-42-3-3), if the victim is less

3 than eighteen (18) years of age, and the person who confined or

4 removed the victim is not the victim's parent or guardian.

5 (13) Possession of child sex abuse material (IC []35-42-4-4(d) or

6 IC 35-42-4-4(e)) **(before July 1, 2026), or a child sex abuse**

7 **material offense under IC 35-42-4-4.5 (after June 30, 2026).**

8 (14) Promoting prostitution (IC []35-45-4-4) as a Class B felony

9 (for a crime committed before July 1, 2014) or a Level 4 felony

10 (for a crime committed after June 30, 2014).

11 (15) Promotion of human sexual trafficking under

12 IC 35-42-3.5-1.1.

13 (16) Promotion of child sexual trafficking under

14 IC 35-42-3.5-1.2(a).

15 (17) Promotion of sexual trafficking of a younger child

16 (IC []35-42-3.5-1.2(c)).

17 (18) Child sexual trafficking (IC []35-42-3.5-1.3).

18 (19) Human trafficking under IC 35-42-3.5-1.4 if the victim is

19 less than eighteen (18) years of age.

20 (20) Sexual misconduct by a service provider with a detained or

21 supervised child (IC []35-44.1-3-10(c)).

22 (b) The term includes:

23 (1) a person who is required to register as a sex offender in any

24 jurisdiction; and

25 (2) a child who has committed a delinquent act, or a person

26 prosecuted under IC 31-30-1-4(d) for an offense described in

27 subsection (a) committed when the person was less than eighteen

28 (18) years of age, but who was at least twenty-one (21) years of

29 age when the charge was filed, and who:

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

31 (B) is on probation, is on parole, is discharged from a

32 facility by the department of correction, is discharged from

33 a secure private facility (as defined in IC 31-9-2-115), or is

34 discharged from a juvenile detention facility as a result of

35 an adjudication as a delinquent child for an act that would

36 be an offense described in subsection (a) if committed by an

37 adult; and

38 (C) is found by a court by clear and convincing evidence to

39 be likely to repeat an act that would be an offense described

40 in subsection (a) if committed by an adult.

41 (c) In making a determination under subsection (b)(2)(C), the

42 court shall consider expert testimony concerning whether a child is



1 likely to repeat an act that would be an offense described in subsection
 2 (a) if committed by an adult.

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

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

14 (1) Rape (IC35-42-4-1).

15 (2) Criminal deviate conduct (IC35-42-4-2) (before its repeal).

16 (3) Child molesting (IC35-42-4-3).

17 (4) Child exploitation (~~IC35-42-4-4(b) or IC 35-42-4-4(c)~~)).

18 **(IC35-42-4-4).**

19 (5) Vicarious sexual gratification (including performing sexual
 20 conduct in the presence of a minor) (IC35-42-4-5).

21 (6) Child solicitation (IC35-42-4-6).

22 (7) Child seduction (IC35-42-4-7).

23 (8) Sexual misconduct with a minor (IC35-42-4-9) as a Class
 24 A, Class B, or Class C felony (for a crime committed before July
 25 1, 2014) or a Level 1, Level 2, Level 4, or Level 5 felony (for a
 26 crime committed after June 30, 2014), unless:

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

31 (B) the person is not more than:

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

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

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

38 (9) Incest (IC35-46-1-3).

39 (10) Sexual battery (IC35-42-4-8).

40 (11) Kidnapping (IC35-42-3-2), if the victim is less than
 41 eighteen (18) years of age, and the person who kidnapped the
 42 victim is not the victim's parent or guardian.



1 (12) Criminal confinement (IC []35-42-3-3), if the victim is less
 2 than eighteen (18) years of age, and the person who confined or
 3 removed the victim is not the victim's parent or guardian.
 4 (13) Possession of child sex abuse material (IC []35-42-4-4(d) or
 5 IC 35-42-4-4(e)) **(before July 1, 2026), or a child sex abuse**
 6 **material offense under IC 35-42-4-4.5 (after June 30, 2026).**
 7 (14) Promoting prostitution (IC []35-45-4-4) as a Class B felony
 8 (for a crime committed before July 1, 2014) or a Level 4 felony
 9 (for a crime committed after June 30, 2014).
 10 (15) Promotion of human sexual trafficking under
 11 IC 35-42-3.5-1.1.
 12 (16) Promotion of child sexual trafficking under
 13 IC 35-42-3.5-1.2(a).
 14 (17) Promotion of sexual trafficking of a younger child
 15 (IC []35-42-3.5-1.2(c)).
 16 (18) Child sexual trafficking (IC []35-42-3.5-1.3).
 17 (19) Human trafficking under IC 35-42-3.5-1.4 if the victim is
 18 less than eighteen (18) years of age.
 19 (20) Murder (IC []35-42-1-1).
 20 (21) Voluntary manslaughter (IC []35-42-1-3).
 21 (22) Sexual misconduct by a service provider with a detained or
 22 supervised child (IC []35-44.1-3-10(c)).
 23 (b) The term includes:
 24 (1) a person who is required to register as a sex or violent
 25 offender in any jurisdiction; and
 26 (2) a child who has committed a delinquent act, or a person
 27 prosecuted under IC 31-30-1-4(d) for an offense described in
 28 subsection (a) committed when the person was less than eighteen
 29 (18) years of age, but who was at least twenty-one (21) years of
 30 age when the charge was filed, and who:
 31 (A) is at least fourteen (14) years of age;
 32 (B) is on probation, is on parole, is discharged from a
 33 facility by the department of correction, is discharged from
 34 a secure private facility (as defined in IC 31-9-2-115), or is
 35 discharged from a juvenile detention facility as a result of
 36 an adjudication as a delinquent child for an act that would
 37 be an offense described in subsection (a) if committed by an
 38 adult; and
 39 (C) is found by a court by clear and convincing evidence to
 40 be likely to repeat an act that would be an offense described
 41 in subsection (a) if committed by an adult.
 42 (c) In making a determination under subsection (b)(2)(C), the



1 court shall consider expert testimony concerning whether a child is
 2 likely to repeat an act that would be an offense described in subsection
 3 (a) if committed by an adult.

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

10 SECTION 5. IC 11-13-3-11, AS AMENDED BY P.L.218-2025,
 11 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2026]: Sec. 11. (a) As used in this section, "Internet crime
 13 against a child" means a conviction for a violation of:

14 (1) ~~IC 35-42-4-4(b) or IC 35-42-4-4(e)~~ IC 35-42-4-4 (child
 15 exploitation);

16 (2) IC 35-42-4-4(d) or IC 35-42-4-4(e) (possession of child sex
 17 abuse material) **(before July 1, 2026), or a child sex abuse**
 18 **material offense under IC 35-42-4-4.5 (after June 30, 2026);**
 19 or

20 (3) IC 35-42-4-6 (child solicitation).

21 (b) When a person is placed on lifetime parole, the department
 22 shall provide the parolee with a written statement of the conditions of
 23 lifetime parole. The parolee shall sign the statement, retain a copy, and
 24 provide a copy to the department. The department shall place the
 25 signed statement in the parolee's master file.

26 (c) As a condition of lifetime parole, the parole board shall:

27 (1) require a parolee who is a sexually violent predator (as
 28 defined in IC 35-38-1-7.5) to:

29 (A) inform the parolee's parole agent of any changes to the
 30 parolee's residence, employment, or contact information not
 31 later than seventy-two (72) hours after the change;

32 (B) report to the parole agent as instructed;

33 (C) avoid contact with any person who is less than sixteen
 34 (16) years of age, unless the parolee receives written
 35 authorization from the parole board; and

36 (D) avoid contact with the victim of any sex crime
 37 committed by that parolee, unless the parolee receives
 38 written authorization from the parole board;

39 (2) prohibit a parolee who is a sexually violent predator
 40 convicted of an Internet crime against a child from:

41 (A) accessing or using certain websites, chat rooms, or
 42 instant messaging programs frequented by children; and



(B) deleting, erasing, or tampering with data on the parolee's personal computer;

(3) prohibit a parolee who is a sexually violent predator from owning, operating, managing, being employed by, or volunteering at an attraction designed to be primarily enjoyed by a child less than sixteen (16) years of age; and

(4) require a parolee to allow the parolee's supervising parole agent or another person authorized by the parole board to visit the parolee's residence, real property, or place of employment.

(d) As a condition of lifetime parole, the parole board may require a sexually violent predator to participate in a sex offender treatment program approved by the parole board.

(e) As a condition of lifetime parole, the parole board may require a parolee who is:

- (1) a sexually violent predator; or
- (2) required to register as a sex or violent offender under IC 11-8-8-5 due to a conviction for murder (IC []35-42-1-1) or voluntary manslaughter (IC []35-42-1-3);

to wear a monitoring device (as described in IC 35-38-2.5-3) that can transmit information twenty-four (24) hours each day regarding a person's precise location, subject to a validated sex offender risk assessment or appropriate violent offender risk assessment, and subject to the amount appropriated to the department for a monitoring program as a condition of lifetime parole.

(f) When an offender is placed on lifetime parole, the parole board shall inform the sheriff and the prosecuting attorney of the offender's current county of residence:

- (1) that the offender has been placed on lifetime parole; and
- (2) whether the offender is required to wear a monitoring device as described in subsection (e).

(g) The parole board may adopt rules under IC 4-22-2 to impose additional conditions of lifetime parole and to implement this section.

SECTION 6. IC 22-5-5-1, AS AMENDED BY P.L.13-2016, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. The employment contract of a person who:

- (1) works with children; and
- (2) is convicted of:
 - (A) rape (IC []35-42-4-1), if the victim is less than eighteen (18) years of age;
 - (B) criminal deviate conduct (IC []35-42-4-2) (repealed), if the victim is less than eighteen (18) years of age;
 - (C) child molesting (IC []35-42-4-3);

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- (D) child exploitation (IC []35-42-4-4(b) or IC 35-42-4-4(e)); (IC []35-42-4-4);
- (E) vicarious sexual gratification (IC []35-42-4-5);
- (F) child solicitation (IC []35-42-4-6);
- (G) child seduction (IC []35-42-4-7); or
- (H) incest (IC []35-46-1-3), if the victim is less than

eighteen (18) years of age;
may be canceled by the person's employer.

8 may be canceled by the person's employer.
9 SECTION 7. IC 31-9-2-133.1, AS AMENDED BY P.L.172-2022,
10 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2026]: Sec. 133.1. "Victim of human or sexual trafficking",
12 for purposes of IC 31-34-1-3.5, refers to a child who is recruited,
13 harbored, transported, or engaged in:

- (1) forced labor;
- (2) involuntary servitude;
- (3) prostitution;
- (4) juvenile prostitution, as defined in IC 35-31.5-2-178.5;
- (5) child exploitation as defined in ~~IC 35-42-4-4(b)~~; under **IC 35-42-4-4**;
- (6) marriage, unless authorized by a court under IC 31-11-1-7;
- (7) trafficking for the purpose of prostitution, juvenile prostitution, or participation in sexual conduct as defined in IC 35-42-4-4(a); or
- (8) human trafficking as defined in IC 35-42-3.5-0.5.

36 (c) In a hearing under subsection (a), there is a rebuttable
37 presumption that a person who has been convicted of:

38 (1) child molesting (IC [] 35-42-4-3); or
39 (2) child exploitation (IC [] 35-42-4-4(b) or IC 35-42-4-4(c));
40 (IC [] 35-42-4-4);

41 might endanger the child's physical health and well-being or
42 significantly impair the child's emotional development.



(d) Except as provided in subsection (e), if a court grants parenting time rights to a person who has been convicted of:

(1) child molesting (IC[]35-42-4-3); or

(2) child exploitation (IE 35-42-4-4(b) or IE 35-42-4-4(c)),

(IC[]35-42-4-4);

there is a rebuttable presumption that the parenting time with the child must be supervised.

(e) If a court grants parenting time rights to a person who has been convicted of:

(1) child molesting (JC 135-42-4-3); or

(2) child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c))

(2) China exports
(ICU 35-42-4-4):

within the previous five (5) years, the court shall order that the parenting time with the child must be supervised.

(f) The court may permit counsel to be present at the interview. If counsel is present:

(1) a record may be made of the interview; and
(2) the interview may be made part of the record for purposes of

(2) the interview may be made part of the record of appeal

SECTION 9, JC 21.17.4.1, AS AMENDED BY RL 146-2021

SECTION EIGHT

SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) Subject to subsections (d) and (e) and subject to section 1.1 of this chapter, a parent not granted custody of the child is entitled to reasonable parenting time rights unless the court finds, after a hearing, that parenting time by the noncustodial parent might endanger the child's physical health or significantly impair the child's emotional development.

(b) The court may interview the child in chambers to assist the court in determining the child's perception of whether parenting time by the noncustodial parent might endanger the child's physical health or significantly impair the child's emotional development.

(c) The court may permit counsel to be present at the interview. If counsel is present:

(1) a record may be made of the interview; and

(2) the interview may be made part of the record for purposes of appeal.

(d) Except as provided in subsection (e), if a court grants parenting time rights to a person who has been convicted of:

(1) child molesting (ICF 135-42-4-3); or

(2) child exploitation ~~IE 35-42-4-4(b) or IE 35-42-4-4(c)~~:

(2) Time expression

there is a rebuttable presumption that the parenting time with the child



1 must be supervised.

2 (e) If a court grants parenting time rights to a person who has been
3 convicted of:

4 (1) child molesting (IC []35-42-4-3); or
5 (2) child exploitation (~~IC []35-42-4-4(b) or IC 35-42-4-4(c)~~);
6 **(IC []35-42-4-4)**;

7 within the previous five (5) years, the court shall order that the
8 parenting time with the child must be supervised.

9 SECTION 10. IC 33-37-5-23, AS AMENDED BY P.L.144-2018,
10 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2026]: Sec. 23. (a) This section applies to criminal actions.

12 (b) The court shall assess a sexual assault victims assistance fee
13 of at least five hundred dollars (\$500) and not more than five thousand
14 dollars (\$5,000) against an individual convicted in Indiana of any of the
15 following offenses:

- 16 (1) Rape (IC []35-42-4-1).
- 17 (2) Criminal deviate conduct (IC []35-42-4-2) (before its repeal).
- 18 (3) Child molesting (IC []35-42-4-3).
- 19 (4) Child exploitation (~~IC []35-42-4-4(b) or IC 35-42-4-4(c)~~);
(IC []35-42-4-4).
- 20 (5) Vicarious sexual gratification (IC []35-42-4-5).
- 21 (6) Child solicitation (IC []35-42-4-6).
- 22 (7) Child seduction (IC []35-42-4-7).
- 23 (8) Sexual battery (IC []35-42-4-8).
- 24 (9) Sexual misconduct with a minor as a Class A or Class B
25 felony (for a crime committed before July 1, 2014) or a Level 1
26 felony or Level 4 felony (for a crime committed after June 30,
27 2014) (IC []35-42-4-9).
- 28 (10) Incest (IC []35-46-1-3).
- 29 (11) Promotion of human labor trafficking (IC []35-42-3.5-1).
- 30 (12) Promotion of human sexual trafficking (IC []35-42-3.5-1.1).
- 31 (13) Promotion of child sexual trafficking
(IC []35-42-3.5-1.2(a)).
- 32 (14) Promotion of sexual trafficking of a younger child
(IC []35-42-3.5-1.2(c)).
- 33 (15) Child sexual trafficking (IC []35-42-3.5-1.3).
- 34 (16) Human trafficking (IC []35-42-3.5-1.4).

35 SECTION 11. IC 33-39-1-9, AS AMENDED BY P.L.13-2016,
36 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2026]: Sec. 9. A prosecuting attorney who charges a person
38 with committing any of the following shall inform the person's
39 employer of the charge, unless the prosecuting attorney determines that
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1 the person charged does not work with children:

2 (1) Rape (IC 35-42-4-1), if the victim is less than eighteen (18)
 3 years of age.

4 (2) Criminal deviate conduct (IC 35-42-4-2) (repealed), if the
 5 victim is less than eighteen (18) years of age.

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)).
 8 (IC 35-42-4-4).

9 (5) Vicarious sexual gratification (IC 35-42-4-5).

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

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

12 (8) Incest (IC 35-46-1-3), if the victim is less than eighteen
 13 (18) years of age.

14 SECTION 12. IC 35-31.5-2-98 IS REPEALED [EFFECTIVE
 15 JULY 1, 2026]. See: 98. "Disseminate", for purposes of IC 35-42-4-4,
 16 has the meaning set forth in IC 35-42-4-4(a).

17 SECTION 13. IC 35-31.5-2-196, AS ADDED BY P.L.114-2012,
 18 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2026]: Sec. 196. (a) "Matter", for purposes of IC 35-42-4-4,
 20 has the meaning set forth in IC 35-42-4-4(a).

21 (b) "Matter", for purposes of IC 35-49, has the meaning set forth
 22 in IC 35-49-1-3.

23 SECTION 14. IC 35-31.5-2-233, AS ADDED BY P.L.114-2012,
 24 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2026]: Sec. 233. (a) "Performance", for purposes of
 26 IC 35-42-4-4, has the meaning set forth in IC 35-42-4-4(a).

27 (b) "Performance", for purposes of IC 35-49, has the meaning set
 28 forth in IC 35-49-1-7.

29 SECTION 15. IC 35-31.5-2-300, AS AMENDED BY
 30 P.L.144-2018, SECTION 15, IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 300. (a) "Sexual
 32 conduct", for purposes of IC 35-42-3.5-0.5 and IC 35-42-4-4, has the
 33 meaning set forth in IC 35-42-4-4(a). IC 35-42-4-4.

34 (b) "Sexual conduct", for purposes of IC 35-49, has the meaning
 35 set forth in IC 35-49-1-9.

36 SECTION 16. IC 35-36-10-1, AS ADDED BY P.L.148-2011,
 37 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2026]: Sec. 1. This chapter applies only in a criminal or civil
 39 proceeding.

40 SECTION 17. IC 35-36-10-2, AS AMENDED BY P.L.218-2025,
 41 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2026]: Sec. 2. As used in this chapter, "child sex abuse



1 material" includes:

2 (1) material described in ~~IC 35-42-4-4(d)~~; IC 35-42-4-4.5; and
 3 (2) material defined in 18 U.S.C. 2256(8).

4 SECTION 18. IC 35-36-10-3, AS AMENDED BY P.L.218-2025,
 5 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2026]: Sec. 3. In any criminal proceeding **or civil proceeding**,
 7 material constituting child sex abuse material must remain in the
 8 custody of the state or the court.

9 SECTION 19. IC 35-36-10-4, AS AMENDED BY P.L.218-2025,
 10 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2026]: Sec. 4. A court shall deny any request by the defendant
 12 in a criminal proceeding, **or any party in a civil proceeding**, to copy,
 13 photograph, duplicate, or otherwise reproduce any material that
 14 constitutes child sex abuse material if the state **(in a criminal
 15 proceeding), or the court (in a civil proceeding)**, provides ample
 16 opportunity for inspection, viewing, and examination of the material
 17 by:

18 (1) the defendant **(in a criminal proceeding)**;
 19 (2) the defendant's attorney **(in a criminal proceeding)**; and
 20 (3) any individual the defendant seeks to qualify as an expert **(in
 21 a criminal proceeding)**;
 22 (4) **any party and the party's attorney (in a civil proceeding)**;
 23 and
 24 (5) **any individual a party seeks to qualify as an expert (in a
 25 civil proceeding)**;

26 at a state or local court or law enforcement facility as provided in
 27 section 5 of this chapter.

28 SECTION 20. IC 35-38-2-2.5, AS AMENDED BY P.L.13-2016,
 29 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2026]: Sec. 2.5. (a) As used in this section, "offender" means
 31 an individual convicted of a sex offense.

32 (b) As used in this section, "sex offense" **has the meaning set
 33 forth in IC 11-8-8-5.2.** means any of the following:

34 (1) Rape (~~IC [] 35-42-4-1~~).
 35 (2) Criminal deviate conduct (~~IC [] 35-42-4-2~~) **(repealed)**.
 36 (3) Child molesting (~~IC [] 35-42-4-3~~).
 37 (4) Child exploitation (~~IC [] 35-42-4-4(b)~~ or ~~IC 35-42-4-4(c)~~).
 38 (5) Vicarious sexual gratification (~~IC [] 35-42-4-5~~).
 39 (6) Child solicitation (~~IC [] 35-42-4-6~~).
 40 (7) Child seduction (~~IC [] 35-42-4-7~~).
 41 (8) Sexual battery (~~IC [] 35-42-4-8~~).
 42 (9) Sexual misconduct with a minor as a felony (~~IC [] 35-42-4-9~~).



(10) Incest (IC [] 35-46-1-3).

(c) A condition of remaining on probation or parole after conviction for a sex offense is that the offender not reside within one (1) mile of the residence of the victim of the offender's sex offense.

(d) An offender:

(1) who will be placed on probation shall provide the sentencing court and the probation department with the address where the offender intends to reside during the period of probation:

(A) at the time of sentencing if the offender will be placed on probation without first being incarcerated; or

(B) before the offender's release from incarceration if the offender will be placed on probation after completing a term of incarceration; or

(2) who will be placed on parole shall provide the parole board with the address where the offender intends to reside during the period of parole.

(e) An offender, while on probation or parole, may not establish a new residence within one (1) mile of the residence of the victim of the offender's sex offense unless the offender first obtains a waiver from the:

(1) court, if the offender is placed on probation; or

(2) parole board, if the offender is placed on parole;

for the change of address under subsection (f).

(f) The court or parole board may waive the requirement set forth in subsection (c) only if the court or parole board, at a hearing at which the offender is present and of which the prosecuting attorney has been notified, determines that:

(1) the offender has successfully completed a sex offender treatment program during the period of probation or parole;

(2) the offender is in compliance with all terms of the offender's probation or parole; and

(3) good cause exists to allow the offender to reside within one (1) mile of the residence of the victim of the offender's sex

offense. However, the court or parole board may not grant a waiver under this subsection if the offender is a sexually violent predator under IC 35-38-1-7.5 or if the offender is an offender against children under IC 35-42-4-11.

(g) If the court or parole board grants a waiver under subsection (f), the court or parole board shall state in writing the reasons for granting the waiver. The court's written statement of its reasons shall be incorporated into the record.



(h) The address of the victim of the offender's sex offense is confidential even if the court or parole board grants a waiver under subsection (f).

SECTION 21. IC 35-42-3.5-1.2, AS AMENDED BY P.L.186-2025, SECTION 233, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1.2. (a) A person who knowingly or intentionally recruits, entices, harbors, or transports a child less than eighteen (18) years of age with the intent of causing the child to engage in:

(1) prostitution or juvenile prostitution; or
(2) a performance or incident that includes sexual conduct in violation of ~~IC 35-42-4-4(b)~~ or ~~IC 35-42-4-4(c)~~ IC 35-42-4-4 (child exploitation);
commits promotion of child sexual trafficking, a Level 3 felony.

(b) It is not a defense to a prosecution under this section that:

- (1) child consented to engage in prostitution or juvenile prostitution or to participate in sexual conduct; or
- (2) intended victim of the offense is a law enforcement officer.

(c) A person who knowingly or intentionally recruits, entices, harbors, or transports a child less than sixteen (16) years of age with the intent of inducing or causing the child to participate in sexual conduct commits promotion of sexual trafficking of a younger child, a Level 3 felony. It is a defense to a prosecution under this subsection if:

- (1) the child is at least fourteen (14) years of age but less than sixteen (16) years of age and the person is less than eighteen (18) years of age; or
- (2) all the following apply:

(A) The person is not more than four (4) years older than the victim.

(B) The relationship between the person and the victim was a dating relationship or an ongoing personal relationship. The term "ongoing personal relationship" does not include a family relationship.

a family relation

(i) was not committed by a person who is at least twenty-one (21) years of age;

(ii) was not committed by using or threatening the use of deadly force;

(iii) was not committed while armed with a deadly weapon;

weapon;

(iv) did not result in serious bodily injury,
(v) was not facilitated by furnishing the victim, without

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person;

(D) sadomasochistic abuse;

(E) sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) with an animal; or

(F) any fondling or touching of a child by another person or of another person by a child intended to arouse or satisfy the sexual desires of either the child or the other person.

(b) A person who:

- (1) knowingly or intentionally manages, produces, sponsors, presents, exhibits, photographs, films, videotapes, or creates a digitized image of any performance or incident that includes sexual conduct by a child under eighteen (18) years of age;
- (2) knowingly or intentionally disseminates, exhibits to another person, offers to disseminate or exhibit to another person, or sends or brings into Indiana for dissemination or exhibition matter that depicts or describes sexual conduct by a child under eighteen (18) years of age;

(2) knowingly or intentionally makes available to another person a computer, knowing that the computer's fixed drive or peripheral device contains matter that depicts or describes sexual conduct by a child less than eighteen (18) years of age;

(4) with the intent to satisfy or arouse the sexual desires of any person:

(A) knowingly or intentionally:

- (f) manages;
- (ii) produces;
- (iii) sponsors;
- (iv) presents;
- (v) exhibits;
- (vi) photographs;
- (vii) films;
- (viii) videotapes; or
- (ix) creates a digitized image of;

any performance or incident that includes the uncovered genitals of a child less than eighteen (18) years of age or the exhibition of the female breast with less than a fully opaque covering of any part of the nipple by a child less than eighteen (18) years of age;

(B) knowingly or intentionally:

- (i) disseminates to another person;
- (ii) exhibits to another person;
- (iii) offers to disseminate or exhibit to another person;



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(iv) sends or brings into Indiana for dissemination or exhibition;

matter that depicts the uncovered genitals of a child less than eighteen (18) years of age or the exhibition of the female breast with less than a fully opaque covering of any part of the nipple by a child less than eighteen (18) years of age; or

(C) makes available to another person a computer, knowing that the computer's fixed drive or peripheral device contains matter that depicts the uncovered genitals of a child less than eighteen (18) years of age or the exhibition of the female breast with less than a fully opaque covering of any part of the nipple by a child less than eighteen (18) years of age; or

(5) knowingly or intentionally produces, disseminates, or possesses with intent to disseminate an image that depicts or describes sexual conduct;

(A) by a child who the person knows is less than eighteen (18) years of age;

(B) by a child less than eighteen (18) years of age; or by a person who appears to be a child less than eighteen (18) years of age, if the image is obscene (as described in IC 35-49-2-1); or

(C) that is simulated sexual conduct involving a representation that appears to be a child less than eighteen (18) years of age, if the representation of the image is obscene (as described in IC 35-49-2-1);

(1) induces, causes, or coerces a child less than eighteen (18) years of age to engage in sexual conduct with the intent to produce or transmit an image of the sexual conduct;

(2) induces, causes, or coerces a child less than eighteen (18) years of age to assist another person in engaging in sexual conduct, with the intent of aiding any person in the production or transmission of an image of the sexual conduct;

(3) being the parent, guardian, or custodian of a child less than eighteen (18) years of age, permits the child to:

(A) engage in sexual conduct; or

(B) assist another person in engaging in sexual conduct; with the intent to aid another person in the production or transmission of an image of the sexual conduct; or

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(A) engage in sexual conduct; or

(B) assist another person in engaging in sexual conduct; with the intent to produce or transmit an image of the sexual conduct;

8 commits child exploitation, a Level 5 felony, or Level 4 felony, except
9 as otherwise provided in this section. It is not a required element of
10 an offense under subdivision (5)(C) that the child depicted actually
11 exists.

12 (c) However, the offense of child exploitation described in
13 subsection (b) is a Level 4 felony if:

(A) engages in bestiality (as described in IC 35-46-3-14);

(B) is mentally disabled or deficient;

(C) participates in the sexual conduct, matter, performance, or incident by use of force or the threat of force;

(D) physically or verbally resists participating in the sexual conduct, matter, performance, or incident;

(E) receives a bodily injury while participating in the sexual conduct, matter, performance, or incident; or

(F) is less than twelve (12) years of age; or

(2) the child less than eighteen (18) years of age:

(A) engages in bestiality (as described)

- (B) is mentally disabled or deficient;
- (C) participates in the sexual conduct, matter, performance;

or incident by use of force or the threat of force;
(D) physically or verbally resists participating in the sexual

conduct, matter, performance, or incident; (E) receives a bodily injury while participating

conduct, matter, performance, or incident

(c) The offense described in subsection (b) is a Level ~~4~~ [3]

offense (as defined in IC 11-8-8-5.2); or
(2) the conduct depicted in the image involves:

(A) bestiality (as described in JC 35.46.3.14)

(B) a child less than twelve (12) years of age;

(C) violence or a depiction of violence against a child.



including sado-masochistic abuse (as defined in IC 35-49-1-8);
(D) child molesting;
(E) pecuniary gain by the person; or
(F) distributing the visual depiction to a child less than eighteen (18) years of age with the intent of inducing, causing, or coercing the child to commit a criminal offense.

(2) by a child less than eighteen (18) years of age; or by a person who appears to be a child less than eighteen (18) years of age, if the representation of the image is obscene (as described in IC 35-49-2-1); or

(3) that is simulated sexual conduct involving a representation that appears to be a child less than eighteen (18) years of age, if the representation of the image is obscene (as described in IC 35-49-2-1);

commits possession of child sex abuse material, a Level 6 felony. It is not a required element of an offense under subdivision (3) that the child depicted actually exists.

27 (e) However, the offense of possession of child sex abuse material
28 described in subsection (d) is a Level 5 felony if:

(1) the sexual conduct, matter, performance, or incident depicts or describes a child who the person knows is less than eighteen (18) years of age; or who appears to be less than eighteen (18) years of age; who:

(A) engages in bestiality (as described in IC 35-46-3-14);

(B) is mentally disabled or deficient;

(C) participates in the sexual conduct, matter, per-

or incident by use of force or the threat of force;

(D) physically or verbally resists participating in the sexual conduct, matter, performance, or incident;

(E) receives a bodily injury while participating

conduct, matter, performance, or incident; or

(F) is less than twelve (12) years of age; or

42 (2) the child less than eighteen (18) years of age:

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- (A) engages in bestiality (as described in IC 35-46-3-14);
- (B) is mentally disabled or deficient;
- (C) participates in the sexual conduct, matter, performance, or incident by use of force or the threat of force;
- (D) physically or verbally resists participating in the sexual conduct, matter, performance, or incident;
- (E) receives a bodily injury while participating in the sexual conduct, matter, performance, or incident; or
- (F) is less than twelve (12) years of age.

(g) (f) It is a defense to a prosecution under this section that:

19 capacity as legal counsel for a client, and
20 (2) the acts constituting the elements of the offense were
21 performed solely within the scope of the person's employment as
22 a school employee, a department of child services employee, or
23 an attorney acting in the attorney's capacity as legal counsel for
24 a client.

28 (1) A cellular telephone, another wireless or cellular
29 communications device, or a social networking website was used
30 to possess, produce, or disseminate the image.

30 to possess, produce, or disseminate the image.
31 (2) The defendant is not more than four (4) years older or
32 younger than the person who is depicted in the image or who
33 received the image.

33 received the image.
34 (3) The relationship between the defendant and the person who

35 received the image or who is depicted in the image was a dating
36 relationship or an ongoing personal relationship. For purposes of
37 this subdivision, the term "ongoing personal relationship" does
38 not include a family relationship.

39 (4) The crime was committed by a person less than twenty-two
40 (22) years of age.

41 (5) The person receiving the image or who is depicted in the
42 image acquiesced in the defendant's conduct.

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(h) The defense to a prosecution described in subsection (g) does not apply if:

- (1) the person who receives the image disseminates it to a person other than the person:
 - (A) who sent the image; or
 - (B) who is depicted in the image;
- (2) the image is of a person other than the person who sent the image or received the image; or
- (3) the dissemination of the image violates:
 - (A) a protective order to prevent domestic or family violence or harassment issued under IC 34-26-5 (or, if the order involved a family or household member, under IC 34-26-2 or IC 34-4-5.1-5 before their repeal);
 - (B) an ex parte protective order issued under IC 34-26-5 (or, if the order involved a family or household member, an emergency order issued under IC 34-26-2 or IC 34-4-5.1 before their repeal);
 - (C) a workplace violence restraining order issued under IC 34-26-6;
 - (D) a no contact order in a dispositional decree issued under IC 31-34-20-1, IC 31-37-19-1, or IC 31-37-5-6 (or IC 31-6-4-15.4 or IC 31-6-4-15.9 before their repeal) or an order issued under IC 31-32-13 (or IC 31-6-7-14 before its repeal) that orders the person to refrain from direct or indirect contact with a child in need of services or a delinquent child;
 - (E) a no contact order issued as a condition of pretrial release, including release on bail or personal recognizance, or pretrial diversion, and including a no contact order issued under IC 35-33-8-3.6;
 - (F) a no contact order issued as a condition of probation;
 - (G) a protective order to prevent domestic or family violence issued under IC 31-15-5 (or IC 31-16-5 or IC 31-1-11.5-8.2 before their repeal);
 - (H) a protective order to prevent domestic or family violence issued under IC 31-14-16-1 in a paternity action;
 - (I) a no contact order issued under IC 31-34-25 in a child in need of services proceeding or under IC 31-37-25 in a juvenile delinquency proceeding;
 - (J) an order issued in another state that is substantially similar to an order described in clauses (A) through (I);
 - (K) an order that is substantially similar to an order

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1 described in clauses (A) through (I) and is issued by an
2 Indian;

- (i) tribe;
- (ii) band;
- (iii) pueblo;
- (iv) nation; or

(v) organized group or community, including an Alaska Native village or regional or village corporation as defined in or established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.);

that is recognized as eligible for the special programs and services provided by the United States to Indians because of their special status as Indians;

- (L) an order issued under IC 35-33-8-3.2; or
- (M) an order issued under IC 35-38-1-30.

16 (f) (i) It is a defense to a prosecution under this section that:

(1) the person was less than eighteen (18) years of age at the time the alleged offense was committed; and

(2) the circumstances described in IC 35-45-4-6(a)(2) through IC 35-45-4-6(a)(4) apply.

21 (f) (j) A person is entitled to present the defense described in
22 subsection (f) (i) in a pretrial hearing. If a person proves by a
23 preponderance of the evidence in a pretrial hearing that the defense
24 described in subsection (f) (i) applies, the court shall dismiss the
25 charges under this section with prejudice.

SECTION 23. IC 35-42-4-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 4.5. (a) The following definitions apply throughout this section:**

(1) "Image" has the meaning set forth in section 4 of this chapter.

(2) "Sexual conduct" has the meaning set forth in section 4 of this chapter.

(1) by a child who the person knows is less than eighteen (18) years of age;

(2) by a child less than eighteen (18) years of age, or by a person who appears to be a child less than eighteen (18) years of age, if the representation of the image is obscene (as described in IC 35-49-2-1); or



(3) that is simulated sexual conduct involving a representation that appears to be a child less than eighteen (18) years of age, if the representation of the image is obscene (as described in IC 35-49-2-1);
commits possession of child sex abuse material, a Level 6 felony, except as otherwise provided in this section. It is not a required element of an offense under subdivision (3) that the child depicted actually exists.

(c) The offense described in subsection (b) is a Level 5 felony if:

(1) the person has a prior unrelated conviction for a sex offense (as defined in IC 11-8-8-5.2); or

(2) the conduct depicted in the image involves:

(A) bestiality (as described in IC 35-46-3-14);

(B) a child less than twelve (12) years of age;

(C) violence or a depiction of violence against a child, including sado-masochistic abuse (as defined in IC 35-49-1-8); or

(D) child molesting.

(d) A person who knowingly or intentionally distributes an image that depicts or describes sexual conduct:

(1) by a child who the person knows is less than eighteen (18) years of age;

(2) by a child less than eighteen (18) years of age, or by a person who appears to be a child less than eighteen (18) years of age, if the image is obscene (as described in IC 35-49-2-1); or

(3) that is simulated sexual conduct involving a representation that appears to be a child less than eighteen (18) years of age, if the representation of the image is obscene (as described in IC 35-49-2-1);

commits distribution of child sex abuse material, a Level 5 felony, except as otherwise provided in this section. It is not a required element of an offense under subdivision (3) that the child depicted actually exists.

(e) The offense described in subsection (d) is a Level ~~4~~³ [3] felony if:

(1) the person has a prior unrelated conviction for a sex offense (as defined in IC 11-8-8-5.2); or

(2) the conduct depicted in the image involves:

(A) bestiality (as described in IC 35-46-3-14);

(B) a child less than twelve (12) years of age;



(C) violence or a depiction of violence against a child, including sado-masochistic abuse (as defined in IC 35-49-1-8);

(D) child molesting;

(E) pecuniary gain by the person; or

(F) distributing the visual depiction to a child less than eighteen (18) years of age with the intent of inducing, causing, or coercing the child to commit a criminal offense.

10 (f) This section does not apply to a bona fide school, museum,
11 or public library that qualifies for certain property tax exemptions
12 under IC 6-1.1-10, or to an employee of such a school, museum, or
13 public library acting within the scope of the employee's
14 employment when the possession of the listed materials is for
15 legitimate scientific or educational purposes.

(g) It is a defense to a prosecution under this section that:

(1) the person is a school employee, a department of child services employee, or an attorney acting in the attorney's capacity as legal counsel for a client; and

(2) the acts constituting the elements of the offense were performed solely within the scope of the person's employment as a school employee, a department of child services employee, or an attorney acting in the attorney's capacity as legal counsel for a client.

(h) Except as provided in subsection (g), it is a defense to a prosecution under this section if all of the following apply:

(1) A cellular telephone, another wireless or cellular communications device, or a social networking website was used to possess, produce, or disseminate the image.

(2) The defendant is not more than four (4) years older or younger than the person who is depicted in the image or who received the image.

(3) The relationship between the defendant and the person who received the image or who is depicted in the image was a dating relationship or an ongoing personal relationship. For purposes of this subdivision, the term "ongoing personal relationship" does not include a family relationship.

(4) The crime was committed by a person less than twenty-two (22) years of age.

(5) The person receiving the image or who is depicted in the image acquiesced in the defendant's conduct.

(i) The defense to a prosecution described in subsection (h)

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1 **does not apply if:**

2 **(1) the person who receives the image disseminates it to a**
 3 **person other than the person:**
 4 **(A) who sent the image; or**
 5 **(B) who is depicted in the image;**
 6 **(2) the image is of a person other than the person who sent**
 7 **the image or received the image; or**
 8 **(3) the dissemination of the image violates:**
 9 **(A) a protective order to prevent domestic or family**
 10 **violence or harassment issued under IC 34-26-5 (or, if**
 11 **the order involved a family or household member, under**
 12 **IC 34-26-2 or IC 34-4-5.1-5 before their repeal);**
 13 **(B) an ex parte protective order issued under IC 34-26-5**
 14 **(or, if the order involved a family or household member,**
 15 **an emergency order issued under IC 34-26-2 or**
 16 **IC 34-4-5.1 before their repeal);**
 17 **(C) a workplace violence restraining order issued under**
 18 **IC 34-26-6;**
 19 **(D) a no contact order in a dispositional decree issued**
 20 **under IC 31-34-20-1, IC 31-37-19-1, or IC 31-37-19-6 (or**
 21 **IC 31-6-4-15.4 or IC 31-6-4-15.9 before their repeal) or**
 22 **an order issued under IC 31-32-13 (or IC 31-6-7-14**
 23 **before its repeal) that orders the person to refrain from**
 24 **direct or indirect contact with a child in need of services**
 25 **or a delinquent child;**
 26 **(E) a no contact order issued as a condition of pretrial**
 27 **release, including release on bail or personal**
 28 **recognizance, or pretrial diversion, and including a no**
 29 **contact order issued under IC 35-33-8-3.6;**
 30 **(F) a no contact order issued as a condition of**
 31 **probation;**
 32 **(G) a protective order to prevent domestic or family**
 33 **violence issued under IC 31-15-5 (or IC 31-16-5 or**
 34 **IC 31-1-11.5-8.2 before their repeal);**
 35 **(H) a protective order to prevent domestic or family**
 36 **violence issued under IC 31-14-16-1 in a paternity**
 37 **action;**
 38 **(I) a no contact order issued under IC 31-34-25 in a**
 39 **child in need of services proceeding or under**
 40 **IC 31-37-25 in a juvenile delinquency proceeding;**
 41 **(J) an order issued in another state that is substantially**
 42 **similar to an order described in clauses (A) through (I);**



(K) an order that is substantially similar to an order described in clauses (A) through (I) and is issued by an Indian:

- (i) tribe;
- (ii) band;
- (iii) pueblo;
- (iv) nation; or
- (v) organized group or community, including an Alaska Native village or regional or village corporation as defined in or established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.);

that is recognized as eligible for the special programs and services provided by the United States to Indians because of their special status as Indians:

(L) an order issued under IC 35-33-8-3.2; or

(M) an order issued under IC 35-38-1-30.

is a defense to a prosecution under this section that:

the person was less than eighteen (18) years

the person was less than eighteen (18) years of age at the time the alleged offense was committed; and

(j) It is a defense to a prosecution under this section that:

(1) the person was less than eighteen (18) years of age at the time the alleged offense was committed; and

(2) the circumstances described in IC 35-45-4-6(a)(2) through IC 35-45-4-6(a)(4) apply.

(k) A person is entitled to present the defense described in subsection (j) in a pretrial hearing. If a person proves by a preponderance of the evidence in a pretrial hearing that the defense described in subsection (j) applies, the court shall dismiss the charges under this section with prejudice.

SECTION 24. IC 35-42-4-11, AS AMENDED BY P.L.142-2020, SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) As used in this section, and except as provided in subsection (d), "offender against children" means a person required to register as a sex or violent offender under IC 11-8-8 who has been:

(1) found to be a sexually violent predator under IC 35-38-1-7.5;

or

(2) convicted of one (1) or more of the following offenses:

(A) Child molesting (IC 135-42-4-3).

(B) Child exploitation (IE [] 35-42-4-4(b) or IE 35-42-4-4(c)). (IC [] 35-42-4-4).

(C) Child solicitation (IC[]35-42-4-6).

(D) Child seduction (IC[]35-42-4-7).

(E) Kidnapping (IC [] 35-42-3-2), if the



3 A person is an offender against children by operation of law if the
4 person meets the conditions described in subdivision (1) or (2) at any
5 time.

6 (b) As used in this section, "reside" means to spend more than
7 three (3) nights in:

8 (1) a residence; or

11 in any thirty (30) day period.

12 (c) An offender against children who knowingly or intentionally:

13 (1) resides within one thousand (1,000) feet of:

14 (A) school property, not including pro

15 providing post-secondary ed

16 (B) a youth program

17 (C) a public park; or

18 (D) a day care center licensed under IC 12-17.2;
19 (2) establishes a residence within one (1) mile of the residence

20 of the victim of the offender's sex offense; or

21 (3) resides in a residence where a child care provider (as defined
22 by IC 31-33-26-1) provides child care services;

23 commits a sex offender residency offense, a Level 6 fe

24 (d) This subsection does not apply to an offender against

25 who has two (2) or more unrelated convictions for an offense described
26 in subsection (a). A person who is an offender against children may
27 petition the court to consider whether the person should no longer be
28 considered an offender against children. The person may file a petition
29 under this subsection not earlier than ten (10) years after the person is
30 released from incarceration or parole, whichever occurs last (or, if the
31 person is not incarcerated, not earlier than ten (10) years after the
32 person is released from probation). A person may file a petition under
33 this subsection not more than one (1) time per year. A court may
34 dismiss a petition filed under this subsection or conduct a hearing to
35 determine if the person should no longer be considered an offender
36 against children. If the court conducts a hearing, the court shall appoint
37 two (2) psychologists or psychiatrists who have expertise in criminal
38 behavioral disorders to evaluate the person and testify at the hearing.
39 After conducting the hearing and considering the testimony of the two
40 (2) psychologists or psychiatrists, the court shall determine whether the
41 person should no longer be considered an offender against children. If
42 a court finds that the person should no longer be considered an offender

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1 against children, the court shall send notice to the department of
2 correction that the person is no longer considered an offender against
3 children.

4 SECTION 25. IC 35-42-4-14, AS AMENDED BY P.L.218-2025,
5 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2026]: Sec. 14. (a) As used in this section, "serious sex
7 offender" means a person required to register as a sex offender under
8 IC 11-8-8 who is:

9 (1) found to be a sexually violent predator under IC 35-38-1-7.5;
10 or
11 (2) convicted of one (1) or more of the following offenses:
12 (A) Child molesting (IC [] 35-42-4-3).
13 (B) Child exploitation (IC [] 35-42-4-4(b) or
14 IC 35-42-4-4(c)). **(IC [] 35-42-4-4).**
15 (C) Possession of child sex abuse material
16 (IC [] 35-42-4-4(d) or IC 35-42-4-4(e)) **(before July 1,**
17 **2026), or a child sex abuse material offense under**
18 **IC 35-42-4-4.5 (after June 30, 2026).**
19 (D) Vicarious sexual gratification (IC [] 35-42-4-5(a) and
20 IC 35-42-4-5(b)).
21 (E) Performing sexual conduct in the presence of a minor
22 (IC [] 35-42-4-5(c)).
23 (F) Child solicitation (IC [] 35-42-4-6).
24 (G) Child seduction (IC [] 35-42-4-7).
25 (H) Sexual misconduct with a minor (IC [] 35-42-4-9).
26 (b) A serious sex offender who knowingly or intentionally enters
27 school property commits unlawful entry by a serious sex offender, a
28 Level 6 felony.
29 (c) It is a defense to a prosecution under subsection (b) that:
30 (1) a religious institution or house of worship is located on the
31 school property; and
32 (2) the person:
33 (A) enters the school property or other entity described in
34 IC 35-31.5-2-285(1)(A) through IC 35-31.5-2-285(1)(D)
35 when classes, extracurricular activities, or any other school
36 activities are not being held:
37 (i) for the sole purpose of attending worship services or
38 receiving religious instruction; and
39 (ii) not earlier than thirty (30) minutes before the
40 beginning of the worship services or religious
41 instruction; and
42 (B) leaves the school property not later than thirty (30)



3 SECTION 26. IC 35-49-3-3, AS AMENDED BY P.L.218-2025,
4 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2026]: Sec. 3. (a) Except as provided in subsection (b) and
6 section 4 of this chapter, a person who knowingly or intentionally:

(1) disseminates matter to minors that is harmful to minors (as described in IC 35-49-2);

(2) displays matter that is harmful to minors in an area to which minors have visual, auditory, or physical access, unless each minor is accompanied by the minor's parent or guardian;

(3) sells, rents, or displays for sale or rent to any person matter that is harmful to minors within five hundred (500) feet of the nearest property line of a school or church;

(4) engages in or conducts a performance before minors that is harmful to minors;

(5) engages in or conducts a performance that is harmful to minors in an area to which minors have visual, auditory, or physical access, unless each minor is accompanied by the minor's parent or guardian;

(6) misrepresents the minor's age for the purpose of obtaining admission to an area from which minors are restricted because of the display of matter or a performance that is harmful to minors; or

(7) misrepresents that the person is a parent or guardian of a minor for the purpose of obtaining admission of the minor to an area where minors are being restricted because of display of matter or performance that is harmful to minors;

commits a Level 6 felony.

30 (b) This section does not apply if a person disseminates, displays,
31 or makes available the matter described in subsection (a) through the
32 Internet, computer electronic transfer, or a computer network unless:

33 (1) the matter is obscene under IC 35-49-2-1;
34 (2) the matter is child sex abuse material under ~~IC 35-42-4-4;~~
35 IC 35-42-4-4.5; or
36 (3) the person distributes the matter to a child less than eighteen
37 (18) years of age believing or intending that the recipient is a
38 child less than eighteen (18) years of age.

39 SECTION 27. IC 35-50-1-2, AS AMENDED BY P.L.218-2025,
40 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2026]: Sec. 2. (a) As used in this section, "crime of violence"
42 means the following:



- (1) Murder (IC []35-42-1-1).
- (2) Attempted murder (IC []35-41-5-1).
- (3) Voluntary manslaughter (IC []35-42-1-3).
- (4) Involuntary manslaughter (IC []35-42-1-4).
- (5) Reckless homicide (IC []35-42-1-5).
- (6) Battery (IC []35-42-2-1) as a:
 - (A) Level 2 felony;
 - (B) Level 3 felony;
 - (C) Level 4 felony; or
 - (D) Level 5 felony.
- (7) Domestic battery (IC []35-42-2-1.3) as a:
 - (A) Level 2 felony;
 - (B) Level 3 felony;
 - (C) Level 4 felony; or
 - (D) Level 5 felony.
- (8) Aggravated battery (IC []35-42-2-1.5).
- (9) Kidnapping (IC []35-42-3-2).
- (10) Rape (IC []35-42-4-1).
- (11) Criminal deviate conduct (IC []35-42-4-2) (before its repeal).
- (12) Child molesting (IC []35-42-4-3).
- (13) Sexual misconduct with a minor as a Level 1 felony under IC 35-42-4-9(a)(2) or a Level 2 felony under IC 35-42-4-9(b)(2).
- (14) Robbery as a Level 2 felony or a Level 3 felony (IC []35-42-5-1).
- (15) Burglary as a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony (IC []35-43-2-1).
- (16) Operating a vehicle while intoxicated causing death or catastrophic injury (IC []9-30-5-5).
- (17) Operating a vehicle while intoxicated causing serious bodily injury to another person (IC []9-30-5-4).
- (18) Child exploitation (IC []35-42-4-4), as a Level 5 felony under IC 35-42-4-4(b) or a Level 4 felony under IC 35-42-4-4(c).
- (19) Resisting law enforcement as a felony (IC []35-44.1-3-1).
- (20) Unlawful possession of a firearm by a serious violent felon (IC []35-47-4-5).
- (21) Strangulation (IC []35-42-2-9) as a Level 5 felony.

(b) As used in this section, "episode of criminal conduct" means offenses or a connected series of offenses that are closely related in time, place, and circumstance.

(c) Except as provided in subsection (e) or (f) the court shall determine whether terms of imprisonment shall be served concurrently

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1 or consecutively. The court may consider the:

2 (1) aggravating circumstances in IC 35-38-1-7.1(a); and
 3 (2) mitigating circumstances in IC 35-38-1-7.1(b);

4 in making a determination under this subsection. The court may order
 5 terms of imprisonment to be served consecutively even if the sentences
 6 are not imposed at the same time. However, except for crimes of
 7 violence, the total of the consecutive terms of imprisonment, exclusive
 8 of terms of imprisonment under IC 35-50-2-8 and IC 35-50-2-10
 9 (before its repeal) to which the defendant is sentenced for felony or
 10 misdemeanor convictions arising out of an episode of criminal conduct
 11 shall not exceed the period described in subsection (d).

12 (d) Except as provided in subsection (c), the total of the
 13 consecutive terms of imprisonment to which the defendant is sentenced
 14 for convictions arising out of an episode of criminal conduct may not
 15 exceed the following:

16 (1) If the most serious crime for which the defendant is
 17 sentenced is a Class C misdemeanor, the total of the consecutive
 18 terms of imprisonment may not exceed one (1) year.
 19 (2) If the most serious crime for which the defendant is
 20 sentenced is a Class B misdemeanor, the total of the consecutive
 21 terms of imprisonment may not exceed two (2) years.
 22 (3) If the most serious crime for which the defendant is
 23 sentenced is a Class A misdemeanor, the total of the consecutive
 24 terms of imprisonment may not exceed three (3) years.
 25 (4) If the most serious crime for which the defendant is
 26 sentenced is a Level 6 felony, the total of the consecutive terms
 27 of imprisonment may not exceed four (4) years.
 28 (5) If the most serious crime for which the defendant is
 29 sentenced is a Level 5 felony, the total of the consecutive terms
 30 of imprisonment may not exceed seven (7) years.
 31 (6) If the most serious crime for which the defendant is
 32 sentenced is a Level 4 felony, the total of the consecutive terms
 33 of imprisonment may not exceed fifteen (15) years.
 34 (7) If the most serious crime for which the defendant is
 35 sentenced is a Level 3 felony, the total of the consecutive terms
 36 of imprisonment may not exceed twenty (20) years.
 37 (8) If the most serious crime for which the defendant is
 38 sentenced is a Level 2 felony, the total of the consecutive terms
 39 of imprisonment may not exceed thirty-two (32) years.
 40 (9) If the most serious crime for which the defendant is
 41 sentenced is a Level 1 felony, the total of the consecutive terms
 42 of imprisonment may not exceed forty-two (42) years.



6 (A) upon the person's own recognizance; or
7 (B) on bond;

8 the terms of imprisonment for the crimes shall be served consecutively,
9 regardless of the order in which the crimes are tried and sentences are
10 imposed.

11 (f) If the factfinder determines under IC 35-50-2-11 that a person
12 used a firearm in the commission of the offense for which the person
13 was convicted, the term of imprisonment for the underlying offense and
14 the additional term of imprisonment imposed under IC 35-50-2-11
15 must be served consecutively.

16 SECTION 28. IC 35-50-2-7, AS AMENDED BY P.L.218-2025,
17 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2026]: Sec. 7. (a) A person who commits a Class D felony (for
19 a crime committed before July 1, 2014) shall be imprisoned for a fixed
20 term of between six (6) months and three (3) years, with the advisory
21 sentence being one and one-half (1 1/2) years. In addition, the person
22 may be fined not more than ten thousand dollars (\$10,000).

36 (1) the court finds that:

37 (A) the person has committed a prior, unrelated felony for
38 which judgment was entered as a conviction of a Class A
39 misdemeanor; and

40 (B) the prior felony was committed less than three (3) years
41 before the second felony was committed;

42 (2) the offense is domestic battery as a Class D felony (for a

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crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-42-2-1.3; or (3) the offense is possession of child sex abuse material (IC 35-42-4-4(d)) (before July 1, 2026) or a child sex abuse material offense under IC 35-42-4-4.5 (after June 30, 2026).

The court shall enter in the record, in detail, the reason for its action whenever it exercises the power to enter judgment of conviction of a Class A misdemeanor granted in this subsection.

(d) Notwithstanding subsections (a) and (b), the sentencing court may convert a Class D felony conviction (for a crime committed before July 1, 2014) or a Level 6 felony conviction (for a crime committed after June 30, 2014) to a Class A misdemeanor conviction if, after receiving a verified petition as described in subsection (e) and after conducting a hearing of which the prosecuting attorney has been notified, the court makes the following findings:

(1) The person is not a sex or violent offender (as defined in IC 11-8-8-5).

(2) The person was not convicted of a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) that resulted in bodily injury to another person.

(3) The person has not been convicted of perjury under IC 35-44.1-2-1 (or IC 35-44-2-1 before its repeal) or official misconduct under IC 35-44.1-1-1 (or IC 35-44-1-2 before its repeal).

(4) The person has not been convicted of domestic battery as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-42-2-1.3 in the fifteen (15) year period immediately preceding the commission of the current offense.

(5) At least three (3) years have passed since the person:

(A) completed the person's sentence; and

(B) satisfied any other obligation imposed on the person as part of the sentence;

for the Class D or Level 6 felony.

(6) The person has not been convicted of a felony since the person:

(A) completed the person's sentence; and

(B) satisfied any other obligation imposed on the person as part of the sentence;

part of the sentence,
for the Class D or Level 6 felony

(7) No criminal charges are pending against the person.

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1 (e) A petition filed under subsection (d) or (f) must be verified and
2 set forth:

3 (1) the crime the person has been convicted of;
4 (2) the date of the conviction;
5 (3) the date the person completed the person's sentence;
6 (4) any obligations imposed on the person as part of the
7 sentence;
8 (5) the date the obligations were satisfied; and
9 (6) a verified statement that there are no criminal charges
10 pending against the person.

19 SECTION 29. IC 35-50-6-3.3, AS AMENDED BY THE
20 TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL
21 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2026]: Sec. 3.3. (a) In addition to any educational credit a
23 person earns under subsection (b), or good time credit a person earns
24 under section 3 or 3.1 of this chapter, a person earns educational credit
25 if the person:

26 (1) is in credit Class I, Class A, or Class B;
27 (2) has demonstrated a pattern consistent with rehabilitation; and
28 (3) successfully completes requirements to obtain one (1) of the
29 following:
30 (A) A general educational development (GED) diploma
31 under IC 20-20-6 (before its repeal) or IC 22-4.1-18, if the
32 person has not previously obtained a high school diploma.
33 (B) Except as provided in subsection (o), a high school
34 diploma, if the person has not previously obtained a general
35 educational development (GED) diploma.
36 (C) An associate degree from an approved postsecondary
37 educational institution (as defined under IC 21-7-13-6(a))
38 earned during the person's incarceration.
39 (D) A ~~bachelor~~ **bachelor's** degree from an approved
40 postsecondary educational institution (as defined under
41 IC 21-7-13-6(a)) earned during the person's incarceration.
42 (b) In addition to any educational credit that a person earns under

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1 subsection (a), or good time credit a person earns under section 3 or 3.1
 2 of this chapter, a person may earn educational credit if, while confined
 3 by the department of correction, the person:
 4 (1) is in credit Class I, Class A, or Class B;
 5 (2) demonstrates a pattern consistent with rehabilitation; and
 6 (3) successfully completes requirements for at least one (1) of
 7 the following:
 8 (A) To obtain a certificate of completion of a career and
 9 technical or vocational education program approved by the
 10 department of correction.
 11 (B) To obtain a certificate of completion of a substance
 12 abuse program approved by the department of correction.
 13 (C) To obtain a certificate of completion of a literacy and
 14 basic life skills program approved by the department of
 15 correction.
 16 (D) To obtain a certificate of completion of a reformatory
 17 program approved by the department of correction.
 18 (E) An individualized case management plan approved by
 19 the department of correction.
 20 (c) The department of correction shall establish admissions criteria
 21 and other requirements for programs available for earning educational
 22 credit under subsection (b). A person may not earn educational credit
 23 under this section for the same program of study. The department of
 24 correction, in consultation with the department of workforce
 25 development, shall approve a program only if the program is likely to
 26 lead to an employable occupation.
 27 (d) The amount of educational credit a person may earn under this
 28 section is the following:
 29 (1) Six (6) months for completion of a state of Indiana general
 30 educational development (GED) diploma under IC 20-20-6
 31 (before its repeal) or IC 22-4.1-18.
 32 (2) One (1) year for graduation from high school.
 33 (3) Not more than one (1) year for completion of an associate
 34 degree.
 35 (4) Not more than two (2) years for completion of a **bachelor**
 36 **bachelor's** degree.
 37 (5) Not more than a total of one (1) year, as determined by the
 38 department of correction, for the completion of one (1) or more
 39 career and technical or vocational education programs approved
 40 by the department of correction.
 41 (6) Not more than a total of six (6) months, as determined by the
 42 department of correction, for the completion of one (1) or more



1 substance abuse programs approved by the department of
 2 correction.

3 (7) Not more than a total of six (6) months, as determined by the
 4 department of correction, for the completion of one (1) or more
 5 literacy and basic life skills programs approved by the
 6 department of correction.

7 (8) Not more than a total of six (6) months, as determined by the
 8 department of correction, for completion of one (1) or more
 9 reformative programs approved by the department of correction.
 10 However, a person who is serving a sentence for an offense
 11 listed under IC 11-8-8-4.5 may not earn educational credit under
 12 this subdivision.

13 (9) An amount determined by the department of correction under
 14 a policy adopted by the department of correction concerning the
 15 individualized case management plan, not to exceed the
 16 maximum amount described in subsection (j).

17 However, a person who does not have a substance abuse problem that
 18 qualifies the person to earn educational credit in a substance abuse
 19 program may earn not more than a total of twelve (12) months of
 20 educational credit, as determined by the department of correction, for
 21 the completion of one (1) or more career and technical or vocational
 22 education programs approved by the department of correction. If a
 23 person earns more than six (6) months of educational credit for the
 24 completion of one (1) or more career and technical or vocational
 25 education programs, the person is ineligible to earn educational credit
 26 for the completion of one (1) or more substance abuse programs.

27 (e) Educational credit earned under this section must be directly
 28 proportional to the time served and course work completed while
 29 incarcerated. The department of correction shall adopt rules under
 30 IC 4-22-2 necessary to implement this subsection.

31 (f) Educational credit earned by a person under this section is
 32 subtracted from the release date that would otherwise apply to the
 33 person by the sentencing court after subtracting all other credit time
 34 earned by the person.

35 (g) A person does not earn educational credit under subsection (a)
 36 unless the person completes at least a portion of the degree
 37 requirements after June 30, 1993.

38 (h) A person does not earn educational credit under subsection (b)
 39 unless the person completes at least a portion of the program
 40 requirements after June 30, 1999.

41 (i) Educational credit earned by a person under subsection (a) for
 42 a diploma or degree completed before July 1, 1999, shall be subtracted



1 from:

2 (1) the release date that would otherwise apply to the person
 3 after subtracting all other credit time earned by the person, if the person
 4 has not been convicted of an offense described in subdivision (2); or
 5
 6 (2) the period of imprisonment imposed on the person by the sentencing court, if the person has been convicted of one (1) of the following crimes:

7 (A) Rape (IC [] 35-42-4-1).

8 (B) Criminal deviate conduct (IC [] 35-42-4-2) (before its repeal).

9 (C) Child molesting (IC [] 35-42-4-3).

10 (D) Child exploitation (IC [] 35-42-4-4(b) or IC 35-42-4-4(c)). (IC [] 35-42-4-4).

11 (E) Vicarious sexual gratification (IC [] 35-42-4-5).

12 (F) Child solicitation (IC [] 35-42-4-6).

13 (G) Child seduction (IC [] 35-42-4-7).

14 (H) Sexual misconduct with a minor (IC [] 35-42-4-9) as a:
 15 (i) Class A felony, Class B felony, or Class C felony for a crime committed before July 1, 2014; or
 16 (ii) Level 1, Level 2, or Level 4 felony, for a crime committed after June 30, 2014.

17 (I) Incest (IC [] 35-46-1-3).

18 (J) Sexual battery (IC [] 35-42-4-8).

19 (K) Kidnapping (IC [] 35-42-3-2), if the victim is less than eighteen (18) years of age.

20 (L) Criminal confinement (IC [] 35-42-3-3), if the victim is less than eighteen (18) years of age.

21 (j) The maximum amount of educational credit a person may earn under this section is the lesser of:
 22 (1) two (2) years; or
 23 (2) one-third (1/3) of the person's total applicable credit time.

24 (k) Educational credit earned under this section by an offender serving a sentence for stalking (IC [] 35-45-10-5), a felony against a person under IC 35-42, or for a crime listed in IC 11-8-8-5, shall be reduced to the extent that application of the educational credit would otherwise result in:
 25 (1) postconviction release (as defined in IC 35-40-4-6); or
 26 (2) assignment of the person to a community transition program; in less than forty-five (45) days after the person earns the educational credit.

27 (l) A person may earn educational credit for multiple degrees at



1 the same education level under subsection (d) only in accordance with
 2 guidelines approved by the department of correction. The department
 3 of correction may approve guidelines for proper sequence of education
 4 degrees under subsection (d).

5 (m) A person may not earn educational credit:
 6 (1) for a general educational development (GED) diploma if the
 7 person has previously earned a high school diploma; or
 8 (2) for a high school diploma if the person has previously earned
 9 a general educational development (GED) diploma.

10 (n) A person may not earn educational credit under this section if
 11 the person:

12 (1) commits an offense listed in IC 11-8-8-4.5 while the person
 13 is required to register as a sex or violent offender under
 14 IC 11-8-7; and

15 (2) is committed to the department of correction after being
 16 convicted of the offense listed in IC 11-8-8-4.5.

17 (o) For a person to earn educational credit under subsection
 18 (a)(3)(B) for successfully completing the requirements for a high
 19 school diploma through correspondence courses, each correspondence
 20 course must be approved by the department before the person begins
 21 the correspondence course. The department may approve a
 22 correspondence course only if the entity administering the course is
 23 recognized and accredited by the department of education in the state
 24 where the entity is located.

25 (p) The department of correction shall, before May 1, 2023, submit
 26 a report to the legislative council, in an electronic format under
 27 IC 5-14-6, concerning the implementation of the individualized case
 28 management plan. The report must include the following:

29 (1) The ratio of case management staff to offenders participating
 30 in the individualized case management plan as of January 1,
 31 2023.

32 (2) The average number of days awarded to offenders
 33 participating in the individualized case management plan from
 34 January 1, 2022, through December 31, 2022.

35 (3) The percentage of the prison population currently
 36 participating in an individualized case management plan as of
 37 January 1, 2023.

38 (4) Any other data points or information related to the status of
 39 the implementation of the individualized case management plan.

40 This subsection expires June 30, 2023.f

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