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HOUSE BILL No. 1303

Proposed Changes to January 21, 2026 printing by AM130305

DIGEST OF PROPOSED AMENDMENT

Notice. Conforms certain notice and procedural requirements concerning sexually violent predators, offenders against children, and sex and violent predators.

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

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- 1 June 30, 2014).
- 2 (9) Incest (IC 35-46-1-3), if the victim is less than eighteen (18)
- 3 years of age.
- 4 SECTION 2. IC 10-13-3-27, AS AMENDED BY P.L.218-2025,
- 5 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 6 JULY 1, 2026]: Sec. 27. (a) Except as provided in subsection (b), on
- 7 request, a law enforcement agency shall release a limited criminal
- 8 history to or allow inspection of a limited criminal history by
- 9 noncriminal justice organizations or individuals only if the subject of
- 10 the request:
- 11 (1) has applied for employment with a noncriminal justice
- 12 organization or individual;
- 13 (2) has:
- 14 (A) applied for a license or is maintaining a license; and
- 15 (B) provided criminal history data as required by law to be
- 16 provided in connection with the license;
- 17 (3) is a candidate for public office or a public official;
- 18 (4) is in the process of being apprehended by a law enforcement
- 19 agency;
- 20 (5) is placed under arrest for the alleged commission of a crime;
- 21 (6) has charged that the subject's rights have been abused
- 22 repeatedly by criminal justice agencies;
- 23 (7) is the subject of a judicial decision or determination with
- 24 respect to the setting of bond, plea bargaining, sentencing, or
- 25 probation;
- 26 (8) has volunteered services that involve contact with, care of, or
- 27 supervision over a child who is being placed, matched, or
- 28 monitored by a social services agency or a nonprofit corporation;
- 29 (9) is currently residing in a location designated by the
- 30 department of child services (established by IC 31-25-1-1) or by
- 31 a juvenile court as the out-of-home placement for a child at the
- 32 time the child will reside in the location;
- 33 (10) has volunteered services at a public school (as defined in
- 34 IC 20-18-2-15) or nonpublic school (as defined in
- 35 IC 20-18-2-12) that involve contact with, care of, or supervision
- 36 over a student enrolled in the school;
- 37 (11) is being investigated for welfare fraud by an investigator of
- 38 the division of family resources or a county office of the division
- 39 of family resources;
- 40 (12) is being sought by the parent locator service of the child
- 41 support bureau of the department of child services;
- 42 (13) is or was required to register as a sex or violent offender

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- 1 under IC 11-8-8;
- 2 (14) has been convicted of any of the following:
- 3 (A) Rape (IC 35-42-4-1), if the victim is less than eighteen
- 4 (18) years of age.
- 5 (B) Criminal deviate conduct (IC 35-42-4-2) (repealed), if
- 6 the victim is less than eighteen (18) years of age.
- 7 (C) Child molesting (IC 35-42-4-3).
- 8 (D) Child exploitation (~~IC 35-42-4-4(b) or IC 35-42-4-4(c)~~);
- 9 **(IC 35-42-4-4).**
- 10 (E) Possession of child sex abuse material (IC 35-42-4-4(d)
- 11 or IC 35-42-4-4(e)) **(before July 1, 2026), or a child sex**
- 12 **abuse material offense described in IC 35-42-4-4.5 (after**
- 13 **June 30, 2026).**
- 14 (F) Vicarious sexual gratification (IC 35-42-4-5).
- 15 (G) Child solicitation (IC 35-42-4-6).
- 16 (H) Child seduction (IC 35-42-4-7).
- 17 (I) Sexual misconduct with a minor as a felony
- 18 (IC 35-42-4-9).
- 19 (J) Incest (IC 35-46-1-3), if the victim is less than eighteen
- 20 (18) years of age;
- 21 (15) is identified as a possible perpetrator of child abuse or
- 22 neglect in an assessment conducted by the department of child
- 23 services under IC 31-33-8; or
- 24 (16) is:
- 25 (A) a parent, guardian, or custodian of a child; or
- 26 (B) an individual who is at least eighteen (18) years of age
- 27 and resides in the home of the parent, guardian, or
- 28 custodian;
- 29 with whom the department of child services or a county
- 30 probation department has a case plan, dispositional decree, or
- 31 permanency plan approved under IC 31-34 or IC 31-37 that
- 32 provides for reunification following an out-of-home placement.
- 33 However, limited criminal history information obtained from the
- 34 National Crime Information Center may not be released under this
- 35 section except to the extent permitted by the Attorney General of the
- 36 United States.
- 37 (b) A law enforcement agency shall allow inspection of a limited
- 38 criminal history by and release a limited criminal history to the
- 39 following noncriminal justice organizations:
- 40 (1) Federally chartered or insured banking institutions.
- 41 (2) Officials of state and local government for any of the
- 42 following purposes:

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- 1 (A) Employment with a state or local governmental entity.
 2 (B) Licensing.
 3 (3) Segments of the securities industry identified under 15
 4 U.S.C. 78q(f)(2).
 5 (c) Any person who knowingly or intentionally uses limited
 6 criminal history for any purpose not specified under this section
 7 commits a Class C infraction. However, the violation is a Class A
 8 misdemeanor if the person has a prior unrelated adjudication or
 9 conviction for a violation of this section within the previous five (5)
 10 years.
 11 SECTION 3. IC 11-8-8-4.5, AS AMENDED BY P.L.218-2025,
 12 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2026]: Sec. 4.5. (a) Except as provided in section 22 of this
 14 chapter, as used in this chapter, "sex offender" means a person
 15 convicted of any of the 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)~~).
 20 **(IC 35-42-4-4).**
 21 (5) Vicarious sexual gratification (including performing sexual
 22 conduct in the presence of a minor) (IC 35-42-4-5).
 23 (6) Child solicitation (IC 35-42-4-6).
 24 (7) Child seduction (IC 35-42-4-7).
 25 (8) Sexual misconduct with a minor (IC 35-42-4-9) as a Class A,
 26 Class B, or Class C felony (for a crime committed before July 1,
 27 2014) or a Level 1, Level 2, Level 4, or Level 5 felony (for a
 28 crime committed after June 30, 2014), unless:
 29 (A) the person is convicted of sexual misconduct with a
 30 minor as a Class C felony (for a crime committed before
 31 July 1, 2014) or a Level 5 felony (for a crime committed
 32 after June 30, 2014);
 33 (B) the person is not more than:
 34 (i) four (4) years older than the victim if the offense
 35 was committed after June 30, 2007; or
 36 (ii) five (5) years older than the victim if the offense
 37 was committed before July 1, 2007; and
 38 (C) the sentencing court finds that the person should not be
 39 required to register as a sex offender.
 40 (9) Incest (IC 35-46-1-3).
 41 (10) Sexual battery (IC 35-42-4-8).
 42 (11) Kidnapping (IC 35-42-3-2), if the victim is less than

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- 1 eighteen (18) years of age, and the person who kidnapped the
 2 victim is not the victim's parent or guardian.
 3 (12) Criminal confinement (IC 35-42-3-3), if the victim is less
 4 than eighteen (18) years of age, and the person who confined or
 5 removed the victim is not the victim's parent or guardian.
 6 (13) Possession of child sex abuse material (IC 35-42-4-4(d) or
 7 IC 35-42-4-4(e)) **(before July 1, 2026), or a child sex abuse**
 8 **material offense under IC 35-42-4-4.5 (after June 30, 2026).**
 9 (14) Promoting prostitution (IC 35-45-4-4) as a Class B felony
 10 (for a crime committed before July 1, 2014) or a Level 4 felony
 11 (for a crime committed after June 30, 2014).
 12 (15) Promotion of human sexual trafficking under
 13 IC 35-42-3.5-1.1.
 14 (16) Promotion of child sexual trafficking under
 15 IC 35-42-3.5-1.2(a).
 16 (17) Promotion of sexual trafficking of a younger child
 17 (IC 35-42-3.5-1.2(c)).
 18 (18) Child sexual trafficking (IC 35-42-3.5-1.3).
 19 (19) Human trafficking under IC 35-42-3.5-1.4 if the victim is
 20 less than eighteen (18) years of age.
 21 (20) 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 offender in any
 25 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

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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 4. IC 11-8-8-5, AS AMENDED BY P.L.218-2025,
 11 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2026]: Sec. 5. (a) Except as provided in section 22 of this
 13 chapter, as used in this chapter, "sex or violent offender" means a
 14 person 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 (~~IC 35-42-4-4(b) or IC 35-42-4-4(c)~~).
 19 **(IC 35-42-4-4).**
 20 (5) Vicarious sexual gratification (including performing sexual
 21 conduct in the presence of a minor) (IC 35-42-4-5).
 22 (6) Child solicitation (IC 35-42-4-6).
 23 (7) Child seduction (IC 35-42-4-7).
 24 (8) Sexual misconduct with a minor (IC 35-42-4-9) as a Class A,
 25 Class B, or Class C felony (for a crime committed before July 1,
 26 2014) or a Level 1, Level 2, Level 4, or Level 5 felony (for a
 27 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);
 32 (B) the person is not more than:
 33 (i) four (4) years older than the victim if the offense
 34 was committed after June 30, 2007; or
 35 (ii) five (5) years older than the victim if the offense
 36 was committed before July 1, 2007; and
 37 (C) the sentencing court finds that the person should not be
 38 required to register as a sex offender.
 39 (9) Incest (IC 35-46-1-3).
 40 (10) Sexual battery (IC 35-42-4-8).
 41 (11) Kidnapping (IC 35-42-3-2), if the victim is less than
 42 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) Murder (IC 35-42-1-1).
 21 (21) Voluntary manslaughter (IC 35-42-1-3).
 22 (22) Sexual misconduct by a service provider with a detained or
 23 supervised child (IC 35-44.1-3-10(c)).
 24 (b) The term includes:
 25 (1) a person who is required to register as a sex or violent
 26 offender in any jurisdiction; and
 27 (2) a child who has committed a delinquent act, or a person
 28 prosecuted under IC 31-30-1-4(d) for an offense described in
 29 subsection (a) committed when the person was less than eighteen
 30 (18) years of age, but who was at least twenty-one (21) years of
 31 age when the charge was filed, and who:
 32 (A) is at least fourteen (14) years of age;
 33 (B) is on probation, is on parole, is discharged from a
 34 facility by the department of correction, is discharged from
 35 a secure private facility (as defined in IC 31-9-2-115), or is
 36 discharged from a juvenile detention facility as a result of
 37 an adjudication as a delinquent child for an act that would
 38 be an offense described in subsection (a) if committed by an
 39 adult; and
 40 (C) is found by a court by clear and convincing evidence to
 41 be likely to repeat an act that would be an offense described
 42 in subsection (a) if committed by an adult.

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

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

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

- 15 (1) ~~IC 35-42-4-4(b)~~ or ~~IC 35-42-4-4(c)~~ IC 35-42-4-4 (child
 16 exploitation);
 17 (2) IC 35-42-4-4(d) or IC 35-42-4-4(e) (possession of child sex
 18 abuse material) **(before July 1, 2026), or a child sex abuse**
 19 **material offense under IC 35-42-4-4.5 (after June 30, 2026);**
 20 or
 21 (3) IC 35-42-4-6 (child solicitation).

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

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

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

- 30 (A) inform the parolee's parole agent of any changes to the
 31 parolee's residence, employment, or contact information not
 32 later than seventy-two (72) hours after the change;
 33 (B) report to the parole agent as instructed;
 34 (C) avoid contact with any person who is less than sixteen
 35 (16) years of age, unless the parolee receives written
 36 authorization from the parole board; and
 37 (D) avoid contact with the victim of any sex crime
 38 committed by that parolee, unless the parolee receives
 39 written authorization from the parole board;

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

- 42 (A) accessing or using certain websites, chat rooms, or

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- 1 instant messaging programs frequented by children; and
 2 (B) deleting, erasing, or tampering with data on the
 3 parolee's personal computer;
 4 (3) prohibit a parolee who is a sexually violent predator from
 5 owning, operating, managing, being employed by, or
 6 volunteering at an attraction designed to be primarily enjoyed by
 7 a child less than sixteen (16) years of age; and
 8 (4) require a parolee to allow the parolee's supervising parole
 9 agent or another person authorized by the parole board to visit
 10 the parolee's residence, real property, or place of employment.
 11 (d) As a condition of lifetime parole, the parole board may require
 12 a sexually violent predator to participate in a sex offender treatment
 13 program approved by the parole board.
 14 (e) As a condition of lifetime parole, the parole board may require
 15 a parolee who is:
 16 (1) a sexually violent predator; or
 17 (2) required to register as a sex or violent offender under
 18 IC 11-8-8-5 due to a conviction for murder (IC 35-42-1-1) or
 19 voluntary manslaughter (IC 35-42-1-3);
 20 to wear a monitoring device (as described in IC 35-38-2.5-3) that can
 21 transmit information twenty-four (24) hours each day regarding a
 22 person's precise location, subject to a validated sex offender risk
 23 assessment or appropriate violent offender risk assessment, and subject
 24 to the amount appropriated to the department for a monitoring program
 25 as a condition of lifetime parole.
 26 (f) When an offender is placed on lifetime parole, the parole board
 27 shall inform the sheriff and the prosecuting attorney of the offender's
 28 current county of residence:
 29 (1) that the offender has been placed on lifetime parole; and
 30 (2) whether the offender is required to wear a monitoring device
 31 as described in subsection (e).
 32 (g) The parole board may adopt rules under IC 4-22-2 to impose
 33 additional conditions of lifetime parole and to implement this section.
 34 SECTION 6. IC 22-5-5-1, AS AMENDED BY P.L.13-2016,
 35 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2026]: Sec. 1. The employment contract of a person who:
 37 (1) works with children; and
 38 (2) is convicted of:
 39 (A) rape (IC 35-42-4-1), if the victim is less than eighteen
 40 (18) years of age;
 41 (B) criminal deviate conduct (IC 35-42-4-2) (repealed), if
 42 the victim is less than eighteen (18) years of age;

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- 1 (C) child molesting (IC 35-42-4-3);
- 2 (D) child exploitation (~~IC 35-42-4-4(b) or IC 35-42-4-4(c)~~);
- 3 **(IC 35-42-4-4)**;
- 4 (E) vicarious sexual gratification (IC 35-42-4-5);
- 5 (F) child solicitation (IC 35-42-4-6);
- 6 (G) child seduction (IC 35-42-4-7); or
- 7 (H) incest (IC 35-46-1-3), if the victim is less than eighteen
- 8 (18) years of age;

9 may be canceled by the person's employer.

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

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

26 SECTION 8. IC 31-14-14-1, AS AMENDED BY P.L.223-2019,
27 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2026]: Sec. 1. (a) A noncustodial parent is entitled to
29 reasonable parenting time rights unless the court finds, after a hearing,
30 that parenting time might:

- 31 (1) endanger the child's physical health and well-being; or
- 32 (2) significantly impair the child's emotional development.
- 33 (b) The court may interview the child in chambers to assist the
- 34 court in determining the child's perception of whether parenting time
- 35 by the noncustodial parent might endanger the child's physical health
- 36 or significantly impair the child's emotional development.

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

- 39 (1) child molesting (IC 35-42-4-3); or
- 40 (2) child exploitation (~~IC 35-42-4-4(b) or IC 35-42-4-4(c)~~);
- 41 **(IC 35-42-4-4)**;

42 might endanger the child's physical health and well-being or

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1 significantly impair the child's emotional development.
 2 (d) Except as provided in subsection (e), if a court grants parenting
 3 time rights to a person who has been 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 there is a rebuttable presumption that the parenting time with the child
 8 must be supervised.
 9 (e) If a court grants parenting time rights to a person who has been
 10 convicted of:
 11 (1) child molesting (IC 35-42-4-3); or
 12 (2) child exploitation (~~IC 35-42-4-4(b) or IC 35-42-4-4(c)~~);
 13 **(IC 35-42-4-4)**;
 14 within the previous five (5) years, the court shall order that the
 15 parenting time with the child must be supervised.
 16 (f) The court may permit counsel to be present at the interview. If
 17 counsel is present:
 18 (1) a record may be made of the interview; and
 19 (2) the interview may be made part of the record for purposes of
 20 appeal.
 21 SECTION 9. IC 31-17-4-1, AS AMENDED BY P.L.146-2021,
 22 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2026]: Sec. 1. (a) Subject to subsections (d) and (e) and
 24 subject to section 1.1 of this chapter, a parent not granted custody of
 25 the child is entitled to reasonable parenting time rights unless the court
 26 finds, after a hearing, that parenting time by the noncustodial parent
 27 might endanger the child's physical health or significantly impair the
 28 child's emotional development.
 29 (b) The court may interview the child in chambers to assist the
 30 court in determining the child's perception of whether parenting time
 31 by the noncustodial parent might endanger the child's physical health
 32 or significantly impair the child's emotional development.
 33 (c) The court may permit counsel to be present at the interview. If
 34 counsel is present:
 35 (1) a record may be made of the interview; and
 36 (2) the interview may be made part of the record for purposes of
 37 appeal.
 38 (d) Except as provided in subsection (e), if a court grants parenting
 39 time rights to a person who has been convicted of:
 40 (1) child molesting (IC 35-42-4-3); or
 41 (2) child exploitation (~~IC 35-42-4-4(b) or IC 35-42-4-4(c)~~);
 42 **(IC 35-42-4-4)**;

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

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

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

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

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

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

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

38 SECTION 11. IC 33-39-1-9, AS AMENDED BY P.L.13-2016,
39 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2026]: Sec. 9. A prosecuting attorney who charges a person
41 with committing any of the following shall inform the person's
42 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 (18)
- 13 years of age.

14 SECTION 12. IC 35-31.5-2-98 IS REPEALED [EFFECTIVE
 15 JULY 1, 2026]. Sec. 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

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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 35-38-1-7.5, AS AMENDED BY P.L.186-2025,
29 SECTION 229, IS AMENDED TO READ AS FOLLOWS
30 [EFFECTIVE JULY 1, 2026]: Sec. 7.5. (a) As used in this section,
31 "sexually violent predator" means a person who suffers from a mental
32 abnormality or personality disorder that makes the individual likely to
33 repeatedly commit a sex offense (as defined in IC 11-8-8-5.2). The
34 term includes a person convicted in another jurisdiction who is
35 identified as a sexually violent predator under IC 11-8-8-20. The term
36 does not include a person no longer considered a sexually violent
37 predator under subsection (g).

- 38 (b) A person who:
- 39 (1) being at least eighteen (18) years of age, commits an offense
40 described in:
- 41 (A) IC 35-42-4-1;
- 42 (B) IC 35-42-4-2 (before its repeal);

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1 (C) IC 35-42-4-3 as a Class A or Class B felony (for a crime
 2 committed before July 1, 2014) or a Level 1, Level 2, Level
 3 3, or Level 4 felony (for a crime committed after June 30,
 4 2014);

5 (D) IC 35-42-4-5(a)(1);

6 (E) IC 35-42-4-5(a)(2);

7 (F) IC 35-42-4-5(a)(3) (before that provision was
 8 redesignated by P.L.158-2013, SECTION 441);

9 (G) IC 35-42-4-5(b)(1) as a Class A or Class B felony (for
 10 a crime committed before July 1, 2014) or Level 2, Level 3,
 11 or Level 4 felony (for a crime committed after June 30,
 12 2014);

13 (H) IC 35-42-4-5(b)(2); or

14 (I) IC 35-42-4-5(b)(3) as a Class A or Class B felony (for a
 15 crime committed before July 1, 2014) or a Level 2, Level 3,
 16 or Level 4 felony (for a crime committed after June 30,
 17 2014);

18 (2) commits a sex offense (as defined in IC 11-8-8-5.2) while
 19 having a previous unrelated conviction for a sex offense for
 20 which the person is required to register as a sex or violent
 21 offender under IC 11-8-8;

22 (3) commits a sex offense (as defined in IC 11-8-8-5.2) while
 23 having had a previous unrelated adjudication as a delinquent
 24 child for an act that would be a sex offense if committed by an
 25 adult, if, after considering expert testimony, a court finds by
 26 clear and convincing evidence that the person is likely to commit
 27 an additional sex offense; or

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

33 is a sexually violent predator. Except as provided in subsection (g) or
 34 (h), a person is a sexually violent predator by operation of law if an
 35 offense committed by the person satisfies the conditions set forth in
 36 subdivision (1) or (2) and the person was released from incarceration,
 37 secure detention, probation, or parole for the offense after June 30,
 38 1994.

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

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

4 (e) If a person is not a sexually violent predator under subsection
 5 (b), the prosecuting attorney may request the court to conduct a hearing
 6 to determine whether the person (including a child adjudicated to be a
 7 delinquent child) is a sexually violent predator under subsection (a). If
 8 the court grants the motion, the court shall appoint two (2)
 9 psychologists or psychiatrists who have expertise in criminal
 10 behavioral disorders to evaluate the person and testify at the hearing.
 11 After conducting the hearing and considering the testimony of the two
 12 (2) psychologists or psychiatrists, the court shall determine whether the
 13 person is a sexually violent predator under subsection (a). A hearing
 14 conducted under this subsection may be combined with the person's
 15 sentencing hearing.

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

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

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

20 (g) This subsection does not apply to a person who has two (2) or
 21 more unrelated convictions for an offense described in IC 11-8-8-4.5
 22 for which the person is required to register under IC 11-8-8. **Subject to**
 23 **subsection (i)**, a person who is a sexually violent predator may petition
 24 the court to consider whether the person should no longer be
 25 considered a sexually violent predator. The person may file a petition
 26 under this subsection not earlier than ten (10) years after:

27 (1) the sentencing court or juvenile court makes its
 28 determination under subsection (e); or

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

30 A person may file a petition under this subsection not more than one
 31 (1) time per year. A court may dismiss a petition filed under this
 32 subsection or conduct a hearing to determine if the person should no
 33 longer be considered a sexually violent predator. If the court conducts
 34 a hearing, the court shall appoint two (2) psychologists or psychiatrists
 35 who have expertise in criminal behavioral disorders to evaluate the
 36 person and testify at the hearing. After conducting the hearing and
 37 considering the testimony of the two (2) psychologists or psychiatrists,
 38 the court shall determine whether the person should no longer be
 39 considered a sexually violent predator under subsection (a). If a court
 40 finds that the person should no longer be considered a sexually violent
 41 predator, the court shall send notice to the department of correction that
 42 the person is no longer considered a sexually violent predator or an

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1 offender against children. Notwithstanding any other law, a condition
 2 imposed on a person due to the person's status as a sexually violent
 3 predator, including lifetime parole or GPS monitoring, does not apply
 4 to a person no longer considered a sexually violent predator.

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

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

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

11 (3) The relationship between the person and the victim was a
 12 dating relationship or an ongoing personal relationship. The term
 13 "ongoing personal relationship" does not include a family
 14 relationship.

15 (4) The offense committed by the person was not any of the
 16 following:

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

18 (B) Criminal deviate conduct (IC 35-42-4-2) (before its
 19 repeal).

20 (C) An offense committed by using or threatening the use
 21 of deadly force or while armed with a deadly weapon.

22 (D) An offense that results in serious bodily injury.

23 (E) An offense that is facilitated by furnishing the victim,
 24 without the victim's knowledge, with a drug (as defined in
 25 IC 16-42-19-2(1)) or a controlled substance (as defined in
 26 IC 35-48-1.1-7) or knowing that the victim was furnished
 27 with the drug or controlled substance without the victim's
 28 knowledge.

29 (5) The person has not committed another sex offense (as
 30 defined in IC 11-8-8-5.2) (including a delinquent act that would
 31 be a sex offense if committed by an adult) against any other
 32 person.

33 (6) The person did not have a position of authority or substantial
 34 influence over the victim.

35 (7) The court finds that the person should not be considered a
 36 sexually violent predator.

37 (i) If the court sets a hearing on a petition filed under
 38 subsection (g), notice must be given in the manner required under
 39 IC 11-8-8-22(f). A court may not issue an order under this section
 40 to:

41 (1) order the department to remove all information
 42 regarding the person from the public portal of the sex and

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1 violent offender registry website established under
 2 IC 36-2-13-5.5; or
 3 (2) require the person to register under less restrictive
 4 conditions than those required by IC 11-8-8.

5 Relief described in subdivisions (1) through (2) may only be
 6 granted under IC 11-8-8-22.

7 SECTION 21.] IC 35-38-2-2.5, AS AMENDED BY P.L.13-2016,
 8 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2026]: Sec. 2.5. (a) As used in this section, "offender" means
 10 an individual convicted of a sex offense.

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

13 (1) Rape (~~IC 35-42-4-1~~);

14 (2) Criminal deviate conduct (~~IC 35-42-4-2~~) (~~repealed~~);

15 (3) Child molesting (~~IC 35-42-4-3~~);

16 (4) Child exploitation (~~IC 35-42-4-4(b)~~ or ~~IC 35-42-4-4(c)~~);

17 (5) Vicarious sexual gratification (~~IC 35-42-4-5~~);

18 (6) Child solicitation (~~IC 35-42-4-6~~);

19 (7) Child seduction (~~IC 35-42-4-7~~);

20 (8) Sexual battery (~~IC 35-42-4-8~~);

21 (9) Sexual misconduct with a minor as a felony (~~IC 35-42-4-9~~);

22 (10) Incest (~~IC 35-46-1-3~~);

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

26 (d) An offender:

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

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

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

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

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

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

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1 (2) parole board, if the offender is placed on parole;
2 for the change of address under subsection (f).

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

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

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

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

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

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

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

25 SECTION 2<+>[2]. IC 35-42-3.5-1.2, AS AMENDED BY
26 P.L.186-2025, SECTION 233, IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1.2. (a) A person who
28 knowingly or intentionally recruits, entices, harbors, or transports a
29 child less than eighteen (18) years of age with the intent of causing the
30 child to engage in:

31 (1) prostitution or juvenile prostitution; or

32 (2) a performance or incident that includes sexual conduct in
33 violation of ~~IC 35-42-4-4(b)~~ or ~~IC 35-42-4-4(c)~~ IC 35-42-4-4
34 (child exploitation);

35 commits promotion of child sexual trafficking, a Level 3 felony.

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

37 (1) child consented to engage in prostitution or juvenile
38 prostitution or to participate in sexual conduct; or

39 (2) intended victim of the offense is a law enforcement officer.

40 (c) A person who knowingly or intentionally recruits, entices,
41 harbors, or transports a child less than sixteen (16) years of age with
42 the intent of inducing or causing the child to participate in sexual

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1 conduct commits promotion of sexual trafficking of a younger child, a
2 Level 3 felony. It is a defense to a prosecution under this subsection if:

3 (1) the child is at least fourteen (14) years of age but less than
4 sixteen (16) years of age and the person is less than eighteen (18)
5 years of age; or

6 (2) all the following apply:

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

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

13 (C) The crime:

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

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

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

20 (iv) did not result in serious bodily injury;

21 (v) was not facilitated by furnishing the victim, without
22 the victim's knowledge, with a drug (as defined in
23 IC 16-42-19-2(1)) or a controlled substance (as defined
24 in IC 35-48-1.1-7) or knowing that the victim was
25 furnished with the drug or controlled substance without
26 the victim's knowledge; and

27 (vi) was not committed by a person having a position
28 of authority or substantial influence over the victim.

29 (D) The person has not committed another sex offense (as
30 defined in IC 11-8-8-5.2), including a delinquent act that
31 would be a sex offense if committed by an adult, against any
32 other person.

33 (E) The person is not promoting prostitution (as defined in
34 IC 35-45-4-4) with respect to the victim even though the
35 person has not been charged with or convicted of the
36 offense.

37 SECTION 2 ~~↔~~ [3]. IC 35-42-4-4, AS AMENDED BY
38 P.L.218-2025, SECTION 17, IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The following
40 definitions apply throughout this section:

41 (1) "Disseminate" means to transfer possession for free or for a
42 consideration:

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- 1 (2)(1) "Image" means the following: any visual representation.
 2 (A) A picture.
 3 (B) A drawing.
 4 (C) A photograph.
 5 (D) A negative image.
 6 (E) An undeveloped film.
 7 (F) A motion picture.
 8 (G) A videotape.
 9 (H) A digitized image.
 10 (I) A computer generated image.
 11 (J) Any pictorial representation.
 12 (3) "Matter" has the same meaning as in IC 35-49-1-3.
 13 (4) "Performance" has the same meaning as in IC 35-49-1-7.
 14 (5) (2) "Sexual conduct" means:
 15 (A) sexual intercourse;
 16 (B) other sexual conduct (as defined in IC 35-31.5-2-221.5);
 17 (C) exhibition of the:
 18 (i) uncovered genitals; or
 19 (ii) female breast with less than a fully opaque
 20 covering of any part of the nipple;
 21 intended to satisfy or arouse the sexual desires of any
 22 person;
 23 (D) sadomasochistic abuse;
 24 (E) sexual intercourse or other sexual conduct (as defined
 25 in IC 35-31.5-2-221.5) with an animal; or
 26 (F) any fondling or touching of a child by another person or
 27 of another person by a child intended to arouse or satisfy the
 28 sexual desires of either the child or the other person.
 29 (b) A person who:
 30 (1) knowingly or intentionally manages, produces, sponsors,
 31 presents, exhibits, photographs, films, videotapes, or creates a
 32 digitized image of any performance or incident that includes
 33 sexual conduct by a child under eighteen (18) years of age;
 34 (2) knowingly or intentionally disseminates, exhibits to another
 35 person, offers to disseminate or exhibit to another person, or
 36 sends or brings into Indiana for dissemination or exhibition
 37 matter that depicts or describes sexual conduct by a child under
 38 eighteen (18) years of age;
 39 (3) knowingly or intentionally makes available to another person
 40 a computer, knowing that the computer's fixed drive or
 41 peripheral device contains matter that depicts or describes sexual
 42 conduct by a child less than eighteen (18) years of age;

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- 1 (4) with the intent to satisfy or arouse the sexual desires of any
 2 person:
 3 (A) knowingly or intentionally:
 4 (i) manages;
 5 (ii) produces;
 6 (iii) sponsors;
 7 (iv) presents;
 8 (v) exhibits;
 9 (vi) photographs;
 10 (vii) films;
 11 (viii) videotapes; or
 12 (ix) creates a digitized image of;
 13 any performance or incident that includes the uncovered
 14 genitals of a child less than eighteen (18) years of age or the
 15 exhibition of the female breast with less than a fully opaque
 16 covering of any part of the nipple by a child less than
 17 eighteen (18) years of age;
 18 (B) knowingly or intentionally:
 19 (i) disseminates to another person;
 20 (ii) exhibits to another person;
 21 (iii) offers to disseminate or exhibit to another person;
 22 or
 23 (iv) sends or brings into Indiana for dissemination or
 24 exhibition;
 25 matter that depicts the uncovered genitals of a child less
 26 than eighteen (18) years of age or the exhibition of the
 27 female breast with less than a fully opaque covering of any
 28 part of the nipple by a child less than eighteen (18) years of
 29 age; or
 30 (C) makes available to another person a computer, knowing
 31 that the computer's fixed drive or peripheral device contains
 32 matter that depicts the uncovered genitals of a child less
 33 than eighteen (18) years of age or the exhibition of the
 34 female breast with less than a fully opaque covering of any
 35 part of the nipple by a child less than eighteen (18) years of
 36 age; or
 37 (5) knowingly or intentionally produces, disseminates, or
 38 possesses with intent to disseminate an image that depicts or
 39 describes sexual conduct:
 40 (A) by a child who the person knows is less than eighteen
 41 (18) years of age;
 42 (B) by a child less than eighteen (18) years of age; or by a

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- 1 person who appears to be a child less than eighteen (18)
 2 years of age, if the image is obscene (as described in
 3 IC 35-49-2-1); or
 4 (C) that is simulated sexual conduct involving a
 5 representation that appears to be a child less than eighteen
 6 (18) years of age, if the representation of the image is
 7 obscene (as described in IC 35-49-2-1);
- 8 **(1) induces, causes, or coerces a child less than eighteen (18)**
 9 **years of age to engage in sexual conduct with the intent to**
 10 **produce or transmit an image of the sexual conduct;**
 11 **(2) induces, causes, or coerces a child less than eighteen (18)**
 12 **years of age to assist another person in engaging in sexual**
 13 **conduct, with the intent of aiding any person in the**
 14 **production or transmission of an image of the sexual**
 15 **conduct;**
 16 **(3) being the parent, guardian, or custodian of a child less**
 17 **than eighteen (18) years of age, permits the child to:**
 18 **(A) engage in sexual conduct; or**
 19 **(B) assist another person in engaging in sexual conduct;**
 20 **with the intent to aid another person in the production or**
 21 **transmission of an image of the sexual conduct;**
 22 **(4) solicits a child less than eighteen (18) years of age, or who**
 23 **the person believes to be a child less than eighteen (18) years**
 24 **of age, to:**
 25 **(A) engage in sexual conduct; or**
 26 **(B) assist another person in engaging in sexual conduct;**
 27 **with the intent to produce or transmit an image of the sexual**
 28 **conduct; or**
 29 **(5) produces or creates an image containing sexual conduct**
 30 **by a child less than eighteen (18) years of age, or who**
 31 **appears to be a child less than eighteen (18) years of age;**
 32 **commits child exploitation, a Level 5 felony, Level 4 felony, except as**
 33 **otherwise provided in this section. It is not a required element of an**
 34 **offense under subdivision (5)(C) that the child depicted actually exists.**
 35 **(c) However, the offense of child exploitation described in**
 36 **subsection (b) is a Level 4 felony if:**
 37 **(1) the sexual conduct, matter, performance, or incident depicts**
 38 **or describes a child less than eighteen (18) years of age who:**
 39 **(A) engages in bestiality (as described in IC 35-46-3-14);**
 40 **(B) is mentally disabled or deficient;**
 41 **(C) participates in the sexual conduct, matter, performance,**
 42 **or incident by use of force or the threat of force;**

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- 1 (Ⓓ) physically or verbally resists participating in the sexual
- 2 conduct, matter, performance, or incident;
- 3 (Ⓔ) receives a bodily injury while participating in the sexual
- 4 conduct, matter, performance, or incident; or
- 5 (Ⓕ) is less than twelve (12) years of age; or
- 6 (2) the child less than eighteen (18) years of age:
 - 7 (A) engages in bestiality (as described in IC 35-46-3-14);
 - 8 (B) is mentally disabled or deficient;
 - 9 (C) participates in the sexual conduct, matter, performance,
 - 10 or incident by use of force or the threat of force;
 - 11 (Ⓓ) physically or verbally resists participating in the sexual
 - 12 conduct, matter, performance, or incident;
 - 13 (Ⓔ) receives a bodily injury while participating in the sexual
 - 14 conduct, matter, performance, or incident; or
 - 15 (Ⓕ) is less than twelve (12) years of age.
- 16 (c) The offense described in subsection (b) is a Level 3 felony
- 17 if:
 - 18 (1) the person has a prior unrelated conviction for a sex
 - 19 offense (as defined in IC 11-8-8-5.2); or
 - 20 (2) the conduct depicted in the image involves:
 - 21 (A) bestiality (as described in IC 35-46-3-14);
 - 22 (B) a child less than twelve (12) years of age, or who
 - 23 appears to be a child less than twelve (12) years of age;
 - 24 (C) violence or a depiction of violence against a child,
 - 25 including sado-masochistic abuse (as defined in
 - 26 IC 35-49-1-8);
 - 27 (D) child molesting;
 - 28 (E) pecuniary gain by the person; or
 - 29 (F) distributing the visual depiction to a child less than
 - 30 eighteen (18) years of age with the intent of inducing,
 - 31 causing, or coercing the child to commit a criminal
 - 32 offense.
 - 33 (d) The offense described in subsection (b) is a Level 2 felony
 - 34 if the offense is committed by force or threat of force.
 - 35 (Ⓓ) A person who, with intent to view the image, knowingly or
 - 36 intentionally possesses or accesses an image that depicts or describes
 - 37 sexual conduct:
 - 38 (1) by a child who the person knows is less than eighteen (18)
 - 39 years of age;
 - 40 (2) by a child less than eighteen (18) years of age; or by a person
 - 41 who appears to be a child less than eighteen (18) years of age; if
 - 42 the representation of the image is obscene (as described in

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1 IC 35-49-2-1); or
 2 (3) that is simulated sexual conduct involving a representation
 3 that appears to be a child less than eighteen (18) years of age; if
 4 the representation of the image is obscene (as described in
 5 IC 35-49-2-1);
 6 commits possession of child sex abuse material; a Level 6 felony. It is
 7 not a required element of an offense under subdivision (3) that the
 8 child depicted actually exists:
 9 (e) However, the offense of possession of child sex abuse material
 10 described in subsection (d) is a Level 5 felony if:
 11 (1) the sexual conduct, matter, performance, or incident depicts
 12 or describes a child who the person knows is less than eighteen
 13 (18) years of age; or who appears to be less than eighteen (18)
 14 years of age; who:
 15 (A) engages in bestiality (as described in IC 35-46-3-14);
 16 (B) is mentally disabled or deficient;
 17 (C) participates in the sexual conduct, matter, performance,
 18 or incident by use of force or the threat of force;
 19 (D) physically or verbally resists participating in the sexual
 20 conduct, matter, performance, or incident;
 21 (E) receives a bodily injury while participating in the sexual
 22 conduct, matter, performance, or incident; or
 23 (F) is less than twelve (12) years of age; or
 24 (2) the child less than eighteen (18) years of age:
 25 (A) engages in bestiality (as described in IC 35-46-3-14);
 26 (B) is mentally disabled or deficient;
 27 (C) participates in the sexual conduct, matter, performance,
 28 or incident by use of force or the threat of force;
 29 (D) physically or verbally resists participating in the sexual
 30 conduct, matter, performance, or incident;
 31 (E) receives a bodily injury while participating in the sexual
 32 conduct, matter, performance, or incident; or
 33 (F) is less than twelve (12) years of age.
 34 (f) (e) Subsections (b), (c), (d), and (e) do **This section does** not
 35 apply to a bona fide school, museum, or public library that qualifies for
 36 certain property tax exemptions under IC 6-1.1-10, or to an employee
 37 of such a school, museum, or public library acting within the scope of
 38 the employee's employment when the possession of the listed materials
 39 is for legitimate scientific or educational purposes.
 40 (g) (f) It is a defense to a prosecution under this section that:
 41 (1) the person is a school employee, a department of child
 42 services employee, or an attorney acting in the attorney's

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1 capacity as legal counsel for a client; and
 2 (2) the acts constituting the elements of the offense were
 3 performed solely within the scope of the person's employment as
 4 a school employee, a department of child services employee, or
 5 an attorney acting in the attorney's capacity as legal counsel for
 6 a client.
 7 ~~(h)~~ (g) Except as provided in subsection ~~(f)~~; ~~(h)~~, it is a defense to
 8 a prosecution under ~~subsection (b); (c); (d); or (e)~~ **this section** if all of
 9 the following apply:
 10 (1) A cellular telephone, another wireless or cellular
 11 communications device, or a social networking website was used
 12 to possess, produce, or ~~disseminate~~ **distribute** the image.
 13 (2) The defendant is not more than four (4) years older or
 14 younger than the person who is depicted in the image or who
 15 received the image.
 16 (3) The relationship between the defendant and the person who
 17 received the image or who is depicted in the image was a dating
 18 relationship or an ongoing personal relationship. For purposes of
 19 this subdivision, the term "ongoing personal relationship" does
 20 not include a family relationship.
 21 (4) The crime was committed by a person less than twenty-two
 22 (22) years of age.
 23 (5) The person receiving the image or who is depicted in the
 24 image acquiesced in the defendant's conduct.
 25 ~~(f)~~ (h) The defense to a prosecution described in subsection ~~(f)~~ (g)
 26 does not apply if:
 27 (1) the person who receives the image ~~disseminates~~ **distributes**
 28 it to a person other than the person:
 29 (A) who sent the image; or
 30 (B) who is depicted in the image;
 31 (2) the image is of a person other than the person who sent the
 32 image or received the image; or
 33 (3) the ~~dissemination~~ **distribution** of the image violates:
 34 (A) a protective order to prevent domestic or family
 35 violence or harassment issued under IC 34-26-5 (or, if the
 36 order involved a family or household member, under
 37 IC 34-26-2 or IC 34-4-5.1-5 before their repeal);
 38 (B) an ex parte protective order issued under IC 34-26-5 (or,
 39 if the order involved a family or household member, an
 40 emergency order issued under IC 34-26-2 or IC 34-4-5.1
 41 before their repeal);
 42 (C) a workplace violence restraining order issued under

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- 1 IC 34-26-6;
- 2 (D) a no contact order in a dispositional decree issued under
- 3 IC 31-34-20-1, IC 31-37-19-1, or IC 31-37-5-6 (or
- 4 IC 31-6-4-15.4 or IC 31-6-4-15.9 before their repeal) or an
- 5 order issued under IC 31-32-13 (or IC 31-6-7-14 before its
- 6 repeal) that orders the person to refrain from direct or
- 7 indirect contact with a child in need of services or a
- 8 delinquent child;
- 9 (E) a no contact order issued as a condition of pretrial
- 10 release, including release on bail or personal recognizance,
- 11 or pretrial diversion, and including a no contact order issued
- 12 under IC 35-33-8-3.6;
- 13 (F) a no contact order issued as a condition of probation;
- 14 (G) a protective order to prevent domestic or family
- 15 violence issued under IC 31-15-5 (or IC 31-16-5 or
- 16 IC 31-1-11.5-8.2 before their repeal);
- 17 (H) a protective order to prevent domestic or family
- 18 violence issued under IC 31-14-16-1 in a paternity action;
- 19 (I) a no contact order issued under IC 31-34-25 in a child in
- 20 need of services proceeding or under IC 31-37-25 in a
- 21 juvenile delinquency proceeding;
- 22 (J) an order issued in another state that is substantially
- 23 similar to an order described in clauses (A) through (I);
- 24 (K) an order that is substantially similar to an order
- 25 described in clauses (A) through (I) and is issued by an
- 26 Indian:
 - 27 (i) tribe;
 - 28 (ii) band;
 - 29 (iii) pueblo;
 - 30 (iv) nation; or
 - 31 (v) organized group or community, including an
 - 32 Alaska Native village or regional or village corporation
 - 33 as defined in or established under the Alaska Native
 - 34 Claims Settlement Act (43 U.S.C. 1601 et seq.);
 - 35 that is recognized as eligible for the special programs and
 - 36 services provided by the United States to Indians because of
 - 37 their special status as Indians;
 - 38 (L) an order issued under IC 35-33-8-3.2; or
 - 39 (M) an order issued under IC 35-38-1-30.
- 40 ⌘ (i) It is a defense to a prosecution under this section that:
 - 41 (1) the person was less than eighteen (18) years of age at the
 - 42 time the alleged offense was committed; and

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

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

8 SECTION 2 ~~↔~~ [4]. IC 35-42-4-4.5 IS ADDED TO THE
9 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2026]: **Sec. 4.5. (a) The following definitions**
11 **apply throughout this section:**

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

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

16 (b) A person who, with intent to view the image, knowingly or
17 intentionally possesses or accesses an image that depicts or
18 describes sexual conduct:

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

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

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

29 commits possession of child sex abuse material, a Level 6 felony,
30 except as otherwise provided in this section. It is not a required
31 element of an offense under subdivision (3) that the child depicted
32 actually exists.

33 (c) The offense described in subsection (b) is a Level 4 felony
34 if:

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

37 (2) the conduct depicted in the image involves:

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

39 (B) a child less than twelve (12) years of age, or who
40 appears to be a child less than twelve (12) years of age;

41 (C) violence or a depiction of violence against a child,
42 including sado-masochistic abuse (as defined in

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- 1 **IC 35-49-1-8); or**
 2 **(D) child molesting.**
 3 **(d) A person who knowingly or intentionally distributes an**
 4 **image that depicts or describes sexual conduct:**
 5 **(1) by a child who the person knows is less than eighteen (18)**
 6 **years of age;**
 7 **(2) by a child less than eighteen (18) years of age, or by a**
 8 **person who appears to be a child less than eighteen (18)**
 9 **years of age, if the image is obscene (as described in**
 10 **IC 35-49-2-1); or**
 11 **(3) that is simulated sexual conduct involving a**
 12 **representation that appears to be a child less than eighteen**
 13 **(18) years of age, if the representation of the image is**
 14 **obscene (as described in IC 35-49-2-1);**
 15 **commits distribution of child sex abuse material, a Level 5 felony,**
 16 **except as otherwise provided in this section. It is not a required**
 17 **element of an offense under subdivision (3) that the child depicted**
 18 **actually exists.**
 19 **(e) The offense described in subsection (d) is a Level 3 felony**
 20 **if:**
 21 **(1) the person has a prior unrelated conviction for a sex**
 22 **offense (as defined in IC 11-8-8-5.2); or**
 23 **(2) the conduct depicted in the image involves:**
 24 **(A) bestiality (as described in IC 35-46-3-14);**
 25 **(B) a child less than twelve (12) years of age, or who**
 26 **appears to be a child less than twelve (12) years of age;**
 27 **(C) violence or a depiction of violence against a child,**
 28 **including sado-masochistic abuse (as defined in**
 29 **IC 35-49-1-8);**
 30 **(D) child molesting;**
 31 **(E) pecuniary gain by the person; or**
 32 **(F) distributing the visual depiction to a child less than**
 33 **eighteen (18) years of age with the intent of inducing,**
 34 **causing, or coercing the child to commit a criminal**
 35 **offense.**
 36 **(f) This section does not apply to a bona fide school, museum,**
 37 **or public library that qualifies for certain property tax exemptions**
 38 **under IC 6-1.1-10, or to an employee of such a school, museum, or**
 39 **public library acting within the scope of the employee's**
 40 **employment when the possession of the listed materials is for**
 41 **legitimate scientific or educational purposes.**
 42 **(g) It is a defense to a prosecution under this section that:**

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- 1 **(1) the person is a school employee, a department of child**
- 2 **services employee, or an attorney acting in the attorney's**
- 3 **capacity as legal counsel for a client; and**
- 4 **(2) the acts constituting the elements of the offense were**
- 5 **performed solely within the scope of the person's**
- 6 **employment as a school employee, a department of child**
- 7 **services employee, or an attorney acting in the attorney's**
- 8 **capacity as legal counsel for a client.**
- 9 **(h) Except as provided in subsection (g), it is a defense to a**
- 10 **prosecution under this section if all of the following apply:**
- 11 **(1) A cellular telephone, another wireless or cellular**
- 12 **communications device, or a social networking website was**
- 13 **used to possess, produce, or distribute the image.**
- 14 **(2) The defendant is not more than four (4) years older or**
- 15 **younger than the person who is depicted in the image or who**
- 16 **received the image.**
- 17 **(3) The relationship between the defendant and the person**
- 18 **who received the image or who is depicted in the image was**
- 19 **a dating relationship or an ongoing personal relationship.**
- 20 **For purposes of this subdivision, the term "ongoing personal**
- 21 **relationship" does not include a family relationship.**
- 22 **(4) The crime was committed by a person less than**
- 23 **twenty-two (22) years of age.**
- 24 **(5) The person receiving the image or who is depicted in the**
- 25 **image acquiesced in the defendant's conduct.**
- 26 **(i) The defense to a prosecution described in subsection (h)**
- 27 **does not apply if:**
- 28 **(1) the person who receives the image distributes it to a**
- 29 **person other than the person:**
- 30 **(A) who sent the image; or**
- 31 **(B) who is depicted in the image;**
- 32 **(2) the image is of a person other than the person who sent**
- 33 **the image or received the image; or**
- 34 **(3) the distribution of the image violates:**
- 35 **(A) a protective order to prevent domestic or family**
- 36 **violence or harassment issued under IC 34-26-5 (or, if**
- 37 **the order involved a family or household member, under**
- 38 **IC 34-26-2 or IC 34-4-5.1-5 before their repeal);**
- 39 **(B) an ex parte protective order issued under IC 34-26-5**
- 40 **(or, if the order involved a family or household member,**
- 41 **an emergency order issued under IC 34-26-2 or**
- 42 **IC 34-4-5.1 before their repeal);**

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- 1 (C) a workplace violence restraining order issued under
- 2 IC 34-26-6;
- 3 (D) a no contact order in a dispositional decree issued
- 4 under IC 31-34-20-1, IC 31-37-19-1, or IC 31-37-19-6 (or
- 5 IC 31-6-4-15.4 or IC 31-6-4-15.9 before their repeal) or
- 6 an order issued under IC 31-32-13 (or IC 31-6-7-14
- 7 before its repeal) that orders the person to refrain from
- 8 direct or indirect contact with a child in need of services
- 9 or a delinquent child;
- 10 (E) a no contact order issued as a condition of pretrial
- 11 release, including release on bail or personal
- 12 recognizance, or pretrial diversion, and including a no
- 13 contact order issued under IC 35-33-8-3.6;
- 14 (F) a no contact order issued as a condition of
- 15 probation;
- 16 (G) a protective order to prevent domestic or family
- 17 violence issued under IC 31-15-5 (or IC 31-16-5 or
- 18 IC 31-1-11.5-8.2 before their repeal);
- 19 (H) a protective order to prevent domestic or family
- 20 violence issued under IC 31-14-16-1 in a paternity
- 21 action;
- 22 (I) a no contact order issued under IC 31-34-25 in a
- 23 child in need of services proceeding or under
- 24 IC 31-37-25 in a juvenile delinquency proceeding;
- 25 (J) an order issued in another state that is substantially
- 26 similar to an order described in clauses (A) through (I);
- 27 (K) an order that is substantially similar to an order
- 28 described in clauses (A) through (I) and is issued by an
- 29 Indian:
 - 30 (i) tribe;
 - 31 (ii) band;
 - 32 (iii) pueblo;
 - 33 (iv) nation; or
 - 34 (v) organized group or community, including an
 - 35 Alaska Native village or regional or village
 - 36 corporation as defined in or established under the
 - 37 Alaska Native Claims Settlement Act (43 U.S.C.
 - 38 1601 et seq.);
- 39 that is recognized as eligible for the special programs
- 40 and services provided by the United States to Indians
- 41 because of their special status as Indians;
- 42 (L) an order issued under IC 35-33-8-3.2; or

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

(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.

(l) It is a defense to a prosecution under this section that the person:

(1) possessed less than three (3) images prohibited by this section; and

(2) promptly and in good faith, and without retaining or allowing any person, other than a law enforcement agency, to access a prohibited image or a copy of a prohibited image:

(A) took reasonable steps to destroy each prohibited image; or

(B) reported the matter to a law enforcement agency and afforded that agency access to each prohibited image.

SECTION 2 ~~2~~ ^[5]. 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 35-42-4-3).

(B) Child exploitation (~~IC 35-42-4-4(b) or IC 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 victim is less than eighteen (18) years of age, and the person is not the child's parent or guardian.

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

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- 1 time.
- 2 (b) As used in this section, "reside" means to spend more than
3 three (3) nights in:
4 (1) a residence; or
5 (2) if the person does not reside in a residence, a particular
6 location;
7 in any thirty (30) day period.
- 8 (c) An offender against children who knowingly or intentionally:
9 (1) resides within one thousand (1,000) feet of:
10 (A) school property, not including property of an institution
11 providing post-secondary education;
12 (B) a youth program center;
13 (C) a public park; or
14 (D) a day care center licensed under IC 12-17.2;
15 (2) establishes a residence within one (1) mile of the residence
16 of the victim of the offender's sex offense; or
17 (3) resides in a residence where a child care provider (as defined
18 by IC 31-33-26-1) provides child care services;
19 commits a sex offender residency offense, a Level 6 felony.
- 20 (d) This subsection does not apply to an offender against children
21 who has two (2) or more unrelated convictions for an offense described
22 in subsection (a). ~~<A>~~ [Subject to subsection (e), a] person who is an
23 offender against children may petition the court to consider whether the
24 person should no longer be considered an offender against children.
25 The person may file a petition under this subsection not earlier than ten
26 (10) years after the person is released from incarceration or parole,
27 whichever occurs last (or, if the person is not incarcerated, not earlier
28 than ten (10) years after the person is released from probation). A
29 person may file a petition under this subsection not more than one (1)
30 time per year. A court may dismiss a petition filed under this
31 subsection or conduct a hearing to determine if the person should no
32 longer be considered an offender against children. If the court conducts
33 a hearing, the court shall appoint two (2) psychologists or psychiatrists
34 who have expertise in criminal behavioral disorders to evaluate the
35 person and testify at the hearing. After conducting the hearing and
36 considering the testimony of the two (2) psychologists or psychiatrists,
37 the court shall determine whether the person should no longer be
38 considered an offender against children. If a court finds that the person
39 should no longer be considered an offender against children, the court
40 shall send notice to the department of correction that the person is no
41 longer considered an offender against children.
- 42 [(e) If the court sets a hearing on a petition filed under

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1 subsection (d), notice must be given in the manner required under
 2 IC 11-8-8-22(f). A court may not issue an order under this section
 3 to:

- 4 (1) order the department to remove all information
 5 regarding the person from the public portal of the sex and
 6 violent offender registry website established under
 7 IC 36-2-13-5.5; or
 8 (2) require the person to register under less restrictive
 9 conditions than those required by IC 11-8-8.

10 Relief described in subdivisions (1) through (2) may only be
 11 granted under IC 11-8-8-22.

12] SECTION 2<5>[6]. IC 35-42-4-14, AS AMENDED BY
 13 P.L.218-2025, SECTION 18, IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 14. (a) As used in this
 15 section, "serious sex offender" means a person required to register as
 16 a sex offender under IC 11-8-8 who is:

- 17 (1) found to be a sexually violent predator under IC 35-38-1-7.5;
 18 or
 19 (2) convicted of one (1) or more of the following offenses:
 20 (A) Child molesting (IC 35-42-4-3).
 21 (B) Child exploitation (IC 35-42-4-4 IC 35-42-4-4)(b) or
 22 ~~IC 35-42-4-4(c)~~; **(IC 35-42-4-4)**.
 23 (C) Possession of child sex abuse material (IC 35-42-4-4(d)
 24 or IC 35-42-4-4(e)) **(before July 1, 2026), or a child sex**
 25 **abuse material offense under IC 35-42-4-4.5 (after June**
 26 **30, 2026)**.
 27 (D) Vicarious sexual gratification (IC 35-42-4-5(a) and
 28 IC 35-42-4-5(b)).
 29 (E) Performing sexual conduct in the presence of a minor
 30 (IC 35-42-4-5(c)).
 31 (F) Child solicitation (IC 35-42-4-6).
 32 (G) Child seduction (IC 35-42-4-7).
 33 (H) Sexual misconduct with a minor (IC 35-42-4-9).

34 (b) A serious sex offender who knowingly or intentionally enters
 35 school property commits unlawful entry by a serious sex offender, a
 36 Level 6 felony.

37 (c) It is a defense to a prosecution under subsection (b) that:

- 38 (1) a religious institution or house of worship is located on the
 39 school property; and
 40 (2) the person:
 41 (A) enters the school property or other entity described in
 42 IC 35-31.5-2-285(1)(A) through IC 35-31.5-2-285(1)(D)

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- 1 when classes, extracurricular activities, or any other school
- 2 activities are not being held:
- 3 (i) for the sole purpose of attending worship services or
- 4 receiving religious instruction; and
- 5 (ii) not earlier than thirty (30) minutes before the
- 6 beginning of the worship services or religious
- 7 instruction; and
- 8 (B) leaves the school property not later than thirty (30)
- 9 minutes after the conclusion of the worship services or
- 10 religious instruction.

11 SECTION 2-6-7. IC 35-49-3-3, AS AMENDED BY
 12 P.L.218-2025, SECTION 22, IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) Except as
 14 provided in subsection (b) and section 4 of this chapter, a person who
 15 knowingly or intentionally:

- 16 (1) disseminates matter to minors that is harmful to minors (as
- 17 described in IC 35-49-2);
- 18 (2) displays matter that is harmful to minors in an area to which
- 19 minors have visual, auditory, or physical access, unless each
- 20 minor is accompanied by the minor's parent or guardian;
- 21 (3) sells, rents, or displays for sale or rent to any person matter
- 22 that is harmful to minors within five hundred (500) feet of the
- 23 nearest property line of a school or church;
- 24 (4) engages in or conducts a performance before minors that is
- 25 harmful to minors;
- 26 (5) engages in or conducts a performance that is harmful to
- 27 minors in an area to which minors have visual, auditory, or
- 28 physical access, unless each minor is accompanied by the
- 29 minor's parent or guardian;
- 30 (6) misrepresents the minor's age for the purpose of obtaining
- 31 admission to an area from which minors are restricted because
- 32 of the display of matter or a performance that is harmful to
- 33 minors; or
- 34 (7) misrepresents that the person is a parent or guardian of a
- 35 minor for the purpose of obtaining admission of the minor to an
- 36 area where minors are being restricted because of display of
- 37 matter or performance that is harmful to minors;

38 commits a Level 6 felony.

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

- 42 (1) the matter is obscene under IC 35-49-2-1;

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- 1 (2) the matter is child sex abuse material under ~~IC 35-42-4-4~~;
- 2 IC 35-42-4-4.5; or
- 3 (3) the person distributes the matter to a child less than eighteen
- 4 (18) years of age believing or intending that the recipient is a
- 5 child less than eighteen (18) years of age.
- 6 SECTION 2 ~~<=>~~ [8]. IC 35-50-1-2, AS AMENDED BY
- 7 P.L.218-2025, SECTION 23, IS AMENDED TO READ AS
- 8 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) As used in this
- 9 section, "crime of violence" means the following:
- 10 (1) Murder (IC 35-42-1-1).
- 11 (2) Attempted murder (IC 35-41-5-1).
- 12 (3) Voluntary manslaughter (IC 35-42-1-3).
- 13 (4) Involuntary manslaughter (IC 35-42-1-4).
- 14 (5) Reckless homicide (IC 35-42-1-5).
- 15 (6) Battery (IC 35-42-2-1) as a:
- 16 (A) Level 2 felony;
- 17 (B) Level 3 felony;
- 18 (C) Level 4 felony; or
- 19 (D) Level 5 felony.
- 20 (7) Domestic battery (IC 35-42-2-1.3) as a:
- 21 (A) Level 2 felony;
- 22 (B) Level 3 felony;
- 23 (C) Level 4 felony; or
- 24 (D) Level 5 felony.
- 25 (8) Aggravated battery (IC 35-42-2-1.5).
- 26 (9) Kidnapping (IC 35-42-3-2).
- 27 (10) Rape (IC 35-42-4-1).
- 28 (11) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
- 29 (12) Child molesting (IC 35-42-4-3).
- 30 (13) Sexual misconduct with a minor as a Level 1 felony under
- 31 IC 35-42-4-9(a)(2) or a Level 2 felony under IC 35-42-4-9(b)(2).
- 32 (14) Robbery as a Level 2 felony or a Level 3 felony
- 33 (IC 35-42-5-1).
- 34 (15) Burglary as a Level 1 felony, Level 2 felony, Level 3 felony,
- 35 or Level 4 felony (IC 35-43-2-1).
- 36 (16) Operating a vehicle while intoxicated causing death or
- 37 catastrophic injury (IC 9-30-5-5).
- 38 (17) Operating a vehicle while intoxicated causing serious bodily
- 39 injury to another person (IC 9-30-5-4).
- 40 (18) Child exploitation (~~IC 35-42-4-4~~), as a Level 5 felony under
- 41 ~~IC 35-42-4-4(b)~~ or a Level 4 felony under ~~IC 35-42-4-4(c)~~;
- 42 (19) Resisting law enforcement as a felony (IC 35-44.1-3-1).

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1 (20) Unlawful possession of a firearm by a serious violent felon
 2 (IC 35-47-4-5).
 3 (21) Strangulation (IC 35-42-2-9) as a Level 5 felony.
 4 **(22) A child sexual abuse material offense (IC 35-42-4-4.5).**
 5 (b) As used in this section, "episode of criminal conduct" means
 6 offenses or a connected series of offenses that are closely related in
 7 time, place, and circumstance.
 8 (c) Except as provided in subsection (e) or (f) the court shall
 9 determine whether terms of imprisonment shall be served concurrently
 10 or consecutively. The court may consider the:
 11 (1) aggravating circumstances in IC 35-38-1-7.1(a); and
 12 (2) mitigating circumstances in IC 35-38-1-7.1(b);
 13 in making a determination under this subsection. The court may order
 14 terms of imprisonment to be served consecutively even if the sentences
 15 are not imposed at the same time. However, except for crimes of
 16 violence, the total of the consecutive terms of imprisonment, exclusive
 17 of terms of imprisonment under IC 35-50-2-8 and IC 35-50-2-10
 18 (before its repeal) to which the defendant is sentenced for felony or
 19 misdemeanor convictions arising out of an episode of criminal conduct
 20 shall not exceed the period described in subsection (d).
 21 (d) Except as provided in subsection (c), the total of the
 22 consecutive terms of imprisonment to which the defendant is sentenced
 23 for convictions arising out of an episode of criminal conduct may not
 24 exceed the following:
 25 (1) If the most serious crime for which the defendant is
 26 sentenced is a Class C misdemeanor, the total of the consecutive
 27 terms of imprisonment may not exceed one (1) year.
 28 (2) If the most serious crime for which the defendant is
 29 sentenced is a Class B misdemeanor, the total of the consecutive
 30 terms of imprisonment may not exceed two (2) years.
 31 (3) If the most serious crime for which the defendant is
 32 sentenced is a Class A misdemeanor, the total of the consecutive
 33 terms of imprisonment may not exceed three (3) years.
 34 (4) If the most serious crime for which the defendant is
 35 sentenced is a Level 6 felony, the total of the consecutive terms
 36 of imprisonment may not exceed four (4) years.
 37 (5) If the most serious crime for which the defendant is
 38 sentenced is a Level 5 felony, the total of the consecutive terms
 39 of imprisonment may not exceed seven (7) years.
 40 (6) If the most serious crime for which the defendant is
 41 sentenced is a Level 4 felony, the total of the consecutive terms
 42 of imprisonment may not exceed fifteen (15) years.

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1 (7) If the most serious crime for which the defendant is
 2 sentenced is a Level 3 felony, the total of the consecutive terms
 3 of imprisonment may not exceed twenty (20) years.
 4 (8) If the most serious crime for which the defendant is
 5 sentenced is a Level 2 felony, the total of the consecutive terms
 6 of imprisonment may not exceed thirty-two (32) years.
 7 (9) If the most serious crime for which the defendant is
 8 sentenced is a Level 1 felony, the total of the consecutive terms
 9 of imprisonment may not exceed forty-two (42) years.
 10 (e) If, after being arrested for one (1) crime, a person commits
 11 another crime:
 12 (1) before the date the person is discharged from probation,
 13 parole, or a term of imprisonment imposed for the first crime; or
 14 (2) while the person is released:
 15 (A) upon the person's own recognizance; or
 16 (B) on bond;
 17 the terms of imprisonment for the crimes shall be served consecutively,
 18 regardless of the order in which the crimes are tried and sentences are
 19 imposed.
 20 (f) If the factfinder determines under IC 35-50-2-11 that a person
 21 used a firearm in the commission of the offense for which the person
 22 was convicted, the term of imprisonment for the underlying offense and
 23 the additional term of imprisonment imposed under IC 35-50-2-11
 24 must be served consecutively.
 25 SECTION 2-~~8~~[9]. IC 35-50-2-7, AS AMENDED BY
 26 P.L.218-2025, SECTION 24, IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) A person who
 28 commits a Class D felony (for a crime committed before July 1, 2014)
 29 shall be imprisoned for a fixed term of between six (6) months and
 30 three (3) years, with the advisory sentence being one and one-half (1
 31 1/2) years. In addition, the person may be fined not more than ten
 32 thousand dollars (\$10,000).
 33 (b) A person who commits a Level 6 felony (for a crime
 34 committed after June 30, 2014) shall be imprisoned for a fixed term of
 35 between six (6) months and two and one-half (2 1/2) years, with the
 36 advisory sentence being one (1) year. In addition, the person may be
 37 fined not more than ten thousand dollars (\$10,000).
 38 (c) Notwithstanding subsections (a) and (b), if a person has
 39 committed a Class D felony (for a crime committed before July 1,
 40 2014) or a Level 6 felony (for a crime committed after June 30, 2014),
 41 the court may enter judgment of conviction of a Class A misdemeanor
 42 and sentence accordingly. However, the court shall enter a judgment of

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1 conviction of a Class D felony (for a crime committed before July 1,
2 2014) or a Level 6 felony (for a crime committed after June 30, 2014)
3 if:

4 (1) the court finds that:

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

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

10 (2) the offense is domestic battery as a Class D felony (for a
11 crime committed before July 1, 2014) or a Level 6 felony (for a
12 crime committed after June 30, 2014) under IC 35-42-2-1.3; or

13 (3) the offense is possession of child sex abuse material
14 (IC 35-42-4-4(d)) **(before July 1, 2026) or a child sex abuse**
15 **material offense under IC 35-42-4-4.5 (after June 30, 2026).**

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

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

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

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

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

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

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

42 (A) completed the person's sentence; and

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1 (B) satisfied any other obligation imposed on the person as
 2 part of the sentence;
 3 for the Class D or Level 6 felony.
 4 (6) The person has not been convicted of a felony since the
 5 person:
 6 (A) completed the person's sentence; and
 7 (B) satisfied any other obligation imposed on the person as
 8 part of the sentence;
 9 for the Class D or Level 6 felony.
 10 (7) No criminal charges are pending against the person.
 11 (e) A petition filed under subsection (d) or (f) must be verified and
 12 set forth:
 13 (1) the crime the person has been convicted of;
 14 (2) the date of the conviction;
 15 (3) the date the person completed the person's sentence;
 16 (4) any obligations imposed on the person as part of the
 17 sentence;
 18 (5) the date the obligations were satisfied; and
 19 (6) a verified statement that there are no criminal charges
 20 pending against the person.
 21 (f) If a person whose Class D or Level 6 felony conviction has
 22 been converted to a Class A misdemeanor conviction under subsection
 23 (d) is convicted of a felony not later than five (5) years after the
 24 conversion under subsection (d), a prosecuting attorney may petition
 25 a court to convert the person's Class A misdemeanor conviction back
 26 to a Class D felony conviction (for a crime committed before July 1,
 27 2014) or a Level 6 felony conviction (for a crime committed after June
 28 30, 2014).
 29 SECTION ~~29~~ [30]. IC 35-50-6-3.3, AS AMENDED BY THE
 30 TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL
 31 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2026]: Sec. 3.3. (a) In addition to any educational credit a
 33 person earns under subsection (b), or good time credit a person earns
 34 under section 3 or 3.1 of this chapter, a person earns educational credit
 35 if the person:
 36 (1) is in credit Class I, Class A, or Class B;
 37 (2) has demonstrated a pattern consistent with rehabilitation; and
 38 (3) successfully completes requirements to obtain one (1) of the
 39 following:
 40 (A) A general educational development (GED) diploma
 41 under IC 20-20-6 (before its repeal) or IC 22-4.1-18, if the
 42 person has not previously obtained a high school diploma.

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

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- 1 (3) Not more than one (1) year for completion of an associate
- 2 degree.
- 3 (4) Not more than two (2) years for completion of a ~~bachelor~~
- 4 **bachelor's** degree.
- 5 (5) Not more than a total of one (1) year, as determined by the
- 6 department of correction, for the completion of one (1) or more
- 7 career and technical or vocational education programs approved
- 8 by the department of correction.
- 9 (6) Not more than a total of six (6) months, as determined by the
- 10 department of correction, for the completion of one (1) or more
- 11 substance abuse programs approved by the department of
- 12 correction.
- 13 (7) Not more than a total of six (6) months, as determined by the
- 14 department of correction, for the completion of one (1) or more
- 15 literacy and basic life skills programs approved by the
- 16 department of correction.
- 17 (8) Not more than a total of six (6) months, as determined by the
- 18 department of correction, for completion of one (1) or more
- 19 reformatory programs approved by the department of correction.
- 20 However, a person who is serving a sentence for an offense
- 21 listed under IC 11-8-8-4.5 may not earn educational credit under
- 22 this subdivision.
- 23 (9) An amount determined by the department of correction under
- 24 a policy adopted by the department of correction concerning the
- 25 individualized case management plan, not to exceed the
- 26 maximum amount described in subsection (j).
- 27 However, a person who does not have a substance abuse problem that
- 28 qualifies the person to earn educational credit in a substance abuse
- 29 program may earn not more than a total of twelve (12) months of
- 30 educational credit, as determined by the department of correction, for
- 31 the completion of one (1) or more career and technical or vocational
- 32 education programs approved by the department of correction. If a
- 33 person earns more than six (6) months of educational credit for the
- 34 completion of one (1) or more career and technical or vocational
- 35 education programs, the person is ineligible to earn educational credit
- 36 for the completion of one (1) or more substance abuse programs.
- 37 (e) Educational credit earned under this section must be directly
- 38 proportional to the time served and course work completed while
- 39 incarcerated. The department of correction shall adopt rules under
- 40 IC 4-22-2 necessary to implement this subsection.
- 41 (f) Educational credit earned by a person under this section is
- 42 subtracted from the release date that would otherwise apply to the

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1 person by the sentencing court after subtracting all other credit time
2 earned by the person.

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

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

9 (i) Educational credit earned by a person under subsection (a) for
10 a diploma or degree completed before July 1, 1999, shall be subtracted
11 from:

12 (1) the release date that would otherwise apply to the person
13 after subtracting all other credit time earned by the person, if the
14 person has not been convicted of an offense described in
15 subdivision (2); or

16 (2) the period of imprisonment imposed on the person by the
17 sentencing court, if the person has been convicted of one (1) of
18 the following crimes:

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

20 (B) Criminal deviate conduct (IC 35-42-4-2) (before its
21 repeal).

22 (C) Child molesting (IC 35-42-4-3).

23 (D) Child exploitation (~~IC 35-42-4-4(b) or IC 35-42-4-4(c)~~);
24 **(IC 35-42-4-4).**

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

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

27 (G) Child seduction (IC 35-42-4-7).

28 (H) Sexual misconduct with a minor (IC 35-42-4-9) as a:

29 (i) Class A felony, Class B felony, or Class C felony
30 for a crime committed before July 1, 2014; or

31 (ii) Level 1, Level 2, or Level 4 felony, for a crime
32 committed after June 30, 2014.

33 (I) Incest (IC 35-46-1-3).

34 (J) Sexual battery (IC 35-42-4-8).

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

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

39 (j) The maximum amount of educational credit a person may earn
40 under this section is the lesser of:

41 (1) two (2) years; or

42 (2) one-third (1/3) of the person's total applicable credit time.

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1 (k) Educational credit earned under this section by an offender
 2 serving a sentence for stalking (IC 35-45-10-5), a felony against a
 3 person under IC 35-42, or for a crime listed in IC 11-8-8-5, shall be
 4 reduced to the extent that application of the educational credit would
 5 otherwise result in:

6 (1) postconviction release (as defined in IC 35-40-4-6); or

7 (2) assignment of the person to a community transition program;
 8 in less than forty-five (45) days after the person earns the educational
 9 credit.

10 (l) A person may earn educational credit for multiple degrees at
 11 the same education level under subsection (d) only in accordance with
 12 guidelines approved by the department of correction. The department
 13 of correction may approve guidelines for proper sequence of education
 14 degrees under subsection (d).

15 (m) A person may not earn educational credit:

16 (1) for a general educational development (GED) diploma if the
 17 person has previously earned a high school diploma; or

18 (2) for a high school diploma if the person has previously earned
 19 a general educational development (GED) diploma.

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

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

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

27 (o) For a person to earn educational credit under subsection
 28 (a)(3)(B) for successfully completing the requirements for a high
 29 school diploma through correspondence courses, each correspondence
 30 course must be approved by the department before the person begins
 31 the correspondence course. The department may approve a
 32 correspondence course only if the entity administering the course is
 33 recognized and accredited by the department of education in the state
 34 where the entity is located.

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

39 ~~(1) The ratio of case management staff to offenders participating~~
 40 ~~in the individualized case management plan as of January 1,~~
 41 ~~2023.~~

42 ~~(2) The average number of days awarded to offenders~~

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1 participating in the individualized case management plan from
2 January 1, 2022, through December 31, 2022.
3 (3) The percentage of the prison population currently
4 participating in an individualized case management plan as of
5 January 1, 2023.
6 (4) Any other data points or information related to the status of
7 the implementation of the individualized case management plan.
8 This subsection expires June 30, 2023.

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