

PRINTING CODE. Deletions appear in <this style type>. Insertions appear in [this style type]. Typeface changes are shown in <this >> style >> type > or in [this[] []style[] []type[]].

# HOUSE BILL No. 1303

Proposed Changes to January 21, 2026 printing by AM130308

## DIGEST OF PROPOSED AMENDMENT

Defenses. Removes certain defenses.

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
- 21 June 30, 2014).

M  
a  
r  
k  
u  
p

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

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

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

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

12 (2) has:

13 (A) applied for a license or is maintaining a license; and

14 (B) provided criminal history data as required by law to be  
15 provided in connection with the license;

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

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

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

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

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

25 (8) has volunteered services that involve contact with, care of, or  
26 supervision over a child who is being placed, matched, or  
27 monitored by a social services agency or a nonprofit corporation;

28 (9) is currently residing in a location designated by the  
29 department of child services (established by IC 31-25-1-1) or by  
30 a juvenile court as the out-of-home placement for a child at the  
31 time the child will reside in the location;

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

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

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

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

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

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

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

- 1 (B) Licensing.
- 2 (3) Segments of the securities industry identified under 15
- 3 U.S.C. 78q(f)(2).
- 4 (c) Any person who knowingly or intentionally uses limited
- 5 criminal history for any purpose not specified under this section
- 6 commits a Class C infraction. However, the violation is a Class A
- 7 misdemeanor if the person has a prior unrelated adjudication or
- 8 conviction for a violation of this section within the previous five (5)
- 9 years.
- 10 SECTION 3. IC 11-8-8-4.5, AS AMENDED BY P.L.218-2025,
- 11 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 12 JULY 1, 2026]: Sec. 4.5. (a) Except as provided in section 22 of this
- 13 chapter, as used in this chapter, "sex offender" means a person
- 14 convicted of any of the following offenses:
- 15 (1) Rape (IC 35-42-4-1).
- 16 (2) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
- 17 (3) Child molesting (IC 35-42-4-3).
- 18 (4) Child exploitation (~~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

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

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

M  
a  
r  
k  
u  
p

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

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

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

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

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

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

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

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

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

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

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

23 (8) Sexual misconduct with a minor (IC 35-42-4-9) as a Class A,  
24 Class B, or Class C felony (for a crime committed before July 1,  
25 2014) or a Level 1, Level 2, Level 4, or Level 5 felony (for a  
26 crime committed after June 30, 2014), unless:

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

31 (B) the person is not more than:

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

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

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

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

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

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

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

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

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

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

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

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

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

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

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

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

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

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

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

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

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

M  
a  
r  
k  
u  
p

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

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

8 may be canceled by the person's employer.

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

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

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

- 30 (1) endanger the child's physical health and well-being; or
- 31 (2) significantly impair the child's emotional development.
- 32 (b) The court may interview the child in chambers to assist the
- 33 court in determining the child's perception of whether parenting time
- 34 by the noncustodial parent might endanger the child's physical health
- 35 or significantly impair the child's emotional development.
- 36 (c) In a hearing under subsection (a), there is a rebuttable
- 37 presumption that a person who has been convicted of:
- 38 (1) child molesting (IC 35-42-4-3); or
- 39 (2) child exploitation (~~IC 35-42-4-4(b) or IC 35-42-4-4(c)~~);
- 40 **(IC 35-42-4-4);**
- 41 might endanger the child's physical health and well-being or
- 42 significantly impair the child's emotional development.

M  
a  
r  
k  
u  
p



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

M  
a  
r  
k  
u  
p

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

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

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

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

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

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

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

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

**HB 1303—LS 6764/DI 106**



**DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY**

M  
a  
r  
k  
u  
p

- 1 (1) Rape (IC 35-42-4-1), if the victim is less than eighteen (18)
- 2 years of age.
- 3 (2) Criminal deviate conduct (IC 35-42-4-2) (repealed), if the
- 4 victim is less than eighteen (18) years of age.
- 5 (3) Child molesting (IC 35-42-4-3).
- 6 (4) Child exploitation (~~IC 35-42-4-4(b) or IC 35-42-4-4(c)~~);
- 7 **(IC 35-42-4-4).**
- 8 (5) Vicarious sexual gratification (IC 35-42-4-5).
- 9 (6) Child solicitation (IC 35-42-4-6).
- 10 (7) Child seduction (IC 35-42-4-7).
- 11 (8) Incest (IC 35-46-1-3), if the victim is less than eighteen (18)
- 12 years of age.

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

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

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

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

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

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

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

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

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

M  
a  
r  
k  
u  
p



1 (1) material described in ~~IC 35-42-4-4(d)~~; <> IC 35-42-4-4.5;  
2 and

3 (2) material defined in 18 U.S.C. 2256(8).

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

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

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

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

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

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

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

M  
a  
r  
k  
u  
p



1           ~~(10) Incest (IC 35-46-1-3):~~  
2           (c) A condition of remaining on probation or parole after  
3 conviction for a sex offense is that the offender not reside within one  
4 (1) mile of the residence of the victim of the offender's sex offense.  
5           (d) An offender:  
6           (1) who will be placed on probation shall provide the sentencing  
7 court and the probation department with the address where the  
8 offender intends to reside during the period of probation:  
9           (A) at the time of sentencing if the offender will be placed  
10 on probation without first being incarcerated; or  
11           (B) before the offender's release from incarceration if the  
12 offender will be placed on probation after completing a term  
13 of incarceration; or  
14           (2) who will be placed on parole shall provide the parole board  
15 with the address where the offender intends to reside during the  
16 period of parole.  
17           (e) An offender, while on probation or parole, may not establish  
18 a new residence within one (1) mile of the residence of the victim of  
19 the offender's sex offense unless the offender first obtains a waiver  
20 from the:  
21           (1) court, if the offender is placed on probation; or  
22           (2) parole board, if the offender is placed on parole;  
23 for the change of address under subsection (f).  
24           (f) The court or parole board may waive the requirement set forth  
25 in subsection (c) only if the court or parole board, at a hearing at which  
26 the offender is present and of which the prosecuting attorney has been  
27 notified, determines that:  
28           (1) the offender has successfully completed a sex offender  
29 treatment program during the period of probation or parole;  
30           (2) the offender is in compliance with all terms of the offender's  
31 probation or parole; and  
32           (3) good cause exists to allow the offender to reside within one  
33 (1) mile of the residence of the victim of the offender's sex  
34 offense.  
35 However, the court or parole board may not grant a waiver under this  
36 subsection if the offender is a sexually violent predator under  
37 IC 35-38-1-7.5 or if the offender is an offender against children under  
38 IC 35-42-4-11.  
39           (g) If the court or parole board grants a waiver under subsection  
40 (f), the court or parole board shall state in writing the reasons for  
41 granting the waiver. The court's written statement of its reasons shall  
42 be incorporated into the record.

M  
a  
r  
k  
u  
p

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

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

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

- 10 (1) prostitution or juvenile prostitution; or
- 11 (2) a performance or incident that includes sexual conduct in
- 12 violation of ~~IC 35-42-4-4(b)~~ or ~~IC 35-42-4-4(c)~~  $\leftrightarrow$  [
- 13 **IC 35-42-4-4** (child exploitation);

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

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

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

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

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

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

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

- 34 (C) The crime:
  - 35 (i) was not committed by a person who is at least
  - 36 twenty-one (21) years of age;
  - 37 (ii) was not committed by using or threatening the use
  - 38 of deadly force;
  - 39 (iii) was not committed while armed with a deadly
  - 40 weapon;
  - 41 (iv) did not result in serious bodily injury;
  - 42 (v) was not facilitated by furnishing the victim, without

M  
a  
r  
k  
u  
p

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

- 1 the victim's knowledge, with a drug (as defined in
- 2 IC 16-42-19-2(1)) or a controlled substance (as defined
- 3 in IC 35-48-1.1-7) or knowing that the victim was
- 4 furnished with the drug or controlled substance without
- 5 the victim's knowledge; and
- 6 (vi) was not committed by a person having a position
- 7 of authority or substantial influence over the victim.
- 8 (D) The person has not committed another sex offense (as
- 9 defined in IC 11-8-8-5.2), including a delinquent act that
- 10 would be a sex offense if committed by an adult, against any
- 11 other person.
- 12 (E) The person is not promoting prostitution (as defined in
- 13 IC 35-45-4-4) with respect to the victim even though the
- 14 person has not been charged with or convicted of the
- 15 offense.

16 SECTION 22. IC 35-42-4-4, AS AMENDED BY P.L.218-2025,  
 17 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18 JULY 1, 2026]: Sec. 4. (a) The following definitions apply throughout  
 19 this section:

- 20 (1) "Disseminate" means to transfer possession for free or for a
- 21 consideration.
- 22 (2) (1) "Image" means the following: **any visual representation.**
- 23 (A) A picture.
- 24 (B) A drawing.
- 25 (C) A photograph.
- 26 (D) A negative image.
- 27 (E) An undeveloped film.
- 28 (F) A motion picture.
- 29 (G) A videotape.
- 30 (H) A digitized image.
- 31 (I) A computer generated image.
- 32 (J) Any pictorial representation.
- 33 (3) "Matter" has the same meaning as in IC 35-49-1-3.
- 34 (4) "Performance" has the same meaning as in IC 35-49-1-7.
- 35 (5) (2) "Sexual conduct" means:
- 36 (A) sexual intercourse;
- 37 (B) other sexual conduct (as defined in IC 35-31.5-2-221.5);
- 38 (C) exhibition of the:
- 39 (i) uncovered genitals; or
- 40 (ii) female breast with less than a fully opaque
- 41 covering of any part of the nipple;
- 42 intended to satisfy or arouse the sexual desires of any

M  
a  
r  
k  
u  
p



- 1 person;
- 2 (D) sadomasochistic abuse;
- 3 (E) sexual intercourse or other sexual conduct (as defined
- 4 in IC 35-31.5-2-221.5) with an animal; or
- 5 (F) any fondling or touching of a child by another person or
- 6 of another person by a child intended to arouse or satisfy the
- 7 sexual desires of either the child or the other person.
- 8 (b) A person who:
  - 9 (1) knowingly or intentionally manages, produces, sponsors,
  - 10 presents, exhibits, photographs, films, videotapes, or creates a
  - 11 digitized image of any performance or incident that includes
  - 12 sexual conduct by a child under eighteen (18) years of age;
  - 13 (2) knowingly or intentionally disseminates, exhibits to another
  - 14 person, offers to disseminate or exhibit to another person, or
  - 15 sends or brings into Indiana for dissemination or exhibition
  - 16 matter that depicts or describes sexual conduct by a child under
  - 17 eighteen (18) years of age;
  - 18 (3) knowingly or intentionally makes available to another person
  - 19 a computer, knowing that the computer's fixed drive or
  - 20 peripheral device contains matter that depicts or describes sexual
  - 21 conduct by a child less than eighteen (18) years of age;
  - 22 (4) with the intent to satisfy or arouse the sexual desires of any
  - 23 person:
    - 24 (A) knowingly or intentionally:
      - 25 (i) manages;
      - 26 (ii) produces;
      - 27 (iii) sponsors;
      - 28 (iv) presents;
      - 29 (v) exhibits;
      - 30 (vi) photographs;
      - 31 (vii) films;
      - 32 (viii) videotapes; or
      - 33 (ix) creates a digitized image of;
      - 34 any performance or incident that includes the uncovered
      - 35 genitals of a child less than eighteen (18) years of age or the
      - 36 exhibition of the female breast with less than a fully opaque
      - 37 covering of any part of the nipple by a child less than
      - 38 eighteen (18) years of age;
      - 39 (B) knowingly or intentionally:
        - 40 (i) disseminates to another person;
        - 41 (ii) exhibits to another person;
        - 42 (iii) offers to disseminate or exhibit to another person;

M  
a  
r  
k  
u  
p



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

or

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

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

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

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

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

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

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

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

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

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

(A) engage in sexual conduct; or

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

M  
a  
r  
k  
u  
p



- 1           **(4) solicits a child less than eighteen (18) years of age, or who**
- 2           **the person believes to be a child less than eighteen (18) years**
- 3           **of age, to:**
- 4                 **(A) engage in sexual conduct; or**
- 5                 **(B) assist another person in engaging in sexual conduct;**
- 6           **with the intent to produce or transmit an image of the sexual**
- 7           **conduct; or**
- 8                 **(5) produces or creates an image containing sexual conduct**
- 9                 **by a child less than eighteen (18) years of age, or who**
- 10                **appears to be a child less than eighteen (18) years of age;**
- 11           **commits child exploitation, a Level 5 felony; Level 4 felony, except as**
- 12           **otherwise provided in this section. It is not a required element of an**
- 13           **offense under subdivision (5)(C) that the child depicted actually exists.**
- 14                **(c) However, the offense of child exploitation described in**
- 15                **subsection (b) is a Level 4 felony if:**
- 16                   **(1) the sexual conduct, matter, performance, or incident depicts**
- 17                   **or describes a child less than eighteen (18) years of age who:**
- 18                         **(A) engages in bestiality (as described in IC 35-46-3-14);**
- 19                         **(B) is mentally disabled or deficient;**
- 20                         **(C) participates in the sexual conduct, matter, performance,**
- 21                         **or incident by use of force or the threat of force;**
- 22                         **(D) physically or verbally resists participating in the sexual**
- 23                         **conduct, matter, performance, or incident;**
- 24                         **(E) receives a bodily injury while participating in the sexual**
- 25                         **conduct, matter, performance, or incident; or**
- 26                         **(F) is less than twelve (12) years of age; or**
- 27                   **(2) the child less than eighteen (18) years of age:**
- 28                         **(A) engages in bestiality (as described in IC 35-46-3-14);**
- 29                         **(B) is mentally disabled or deficient;**
- 30                         **(C) participates in the sexual conduct, matter, performance,**
- 31                         **or incident by use of force or the threat of force;**
- 32                         **(D) physically or verbally resists participating in the sexual**
- 33                         **conduct, matter, performance, or incident;**
- 34                         **(E) receives a bodily injury while participating in the sexual**
- 35                         **conduct, matter, performance, or incident; or**
- 36                         **(F) is less than twelve (12) years of age.**
- 37                **(c) The offense described in subsection (b) is a Level 3 felony**
- 38                **if:**
- 39                   **(1) the person has a prior unrelated conviction for a sex**
- 40                   **offense (as defined in IC 11-8-8-5.2); or**
- 41                   **(2) the conduct depicted in the image involves:**
- 42                         **(A) bestiality (as described in IC 35-46-3-14);**

M  
a  
r  
k  
u  
p



- 1 (B) a child less than twelve (12) years of age, or who
- 2 appears to be a child less than twelve (12) years of age;
- 3 (C) violence or a depiction of violence against a child,
- 4 including sado-masochistic abuse (as defined in
- 5 IC 35-49-1-8);
- 6 (D) child molesting;
- 7 (E) pecuniary gain by the person; or
- 8 (F) distributing the visual depiction to a child less than
- 9 eighteen (18) years of age with the intent of inducing,
- 10 causing, or coercing the child to commit a criminal
- 11 offense.

12 (d) The offense described in subsection (b) is a Level 2 felony  
 13 if the offense is committed by force or threat of force.

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

- 17 (1) by a child who the person knows is less than eighteen (18)
- 18 years of age;
- 19 (2) by a child less than eighteen (18) years of age, or by a person
- 20 who appears to be a child less than eighteen (18) years of age, if
- 21 the representation of the image is obscene (as described in
- 22 IC 35-49-2-1); or
- 23 (3) that is simulated sexual conduct involving a representation
- 24 that appears to be a child less than eighteen (18) years of age, if
- 25 the representation of the image is obscene (as described in
- 26 IC 35-49-2-1);

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

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

- 32 (1) the sexual conduct, matter, performance, or incident depicts
- 33 or describes a child who the person knows is less than eighteen
- 34 (18) years of age, or who appears to be less than eighteen (18)
- 35 years of age, who:
  - 36 (A) engages in bestiality (as described in IC 35-46-3-14);
  - 37 (B) is mentally disabled or deficient;
  - 38 (C) participates in the sexual conduct, matter, performance,
  - 39 or incident by use of force or the threat of force;
  - 40 (D) physically or verbally resists participating in the sexual
  - 41 conduct, matter, performance, or incident;
  - 42 (E) receives a bodily injury while participating in the sexual

M  
a  
r  
k  
u  
p



- 1                   conduct, matter, performance, or incident; or
- 2                   (F) is less than twelve (12) years of age; or
- 3           (2) the child less than eighteen (18) years of age:
- 4                   (A) engages in bestiality (as described in IC 35-46-3-14);
- 5                   (B) is mentally disabled or deficient;
- 6                   (C) participates in the sexual conduct, matter, performance;
- 7                   or incident by use of force or the threat of force;
- 8                   (D) physically or verbally resists participating in the sexual
- 9                   conduct, matter, performance, or incident;
- 10                  (E) receives a bodily injury while participating in the sexual
- 11                  conduct, matter, performance, or incident; or
- 12                  (F) is less than twelve (12) years of age.

13           (f) ~~(e)~~ Subsections (b), (c), (d), and (e) do ~~<This section does~~

14           > [not] [apply] [to] [a] [bona] [fide] [school,] [museum,] [

15           [or] [public] [library] [that] [qualifies] [for] [certain]

16           [property] [tax] [exemptions] [under] ~~IC 6-1-1-10,~~ [IC 6-1-1-10,]

17           [or] [to] [an] [employee] [of] [such] [a] [school,]

18           [museum,] [or] [public] [library] [acting] [within] [the]

19           [scope] [of] [the] [employee's] [employment] [when] [the]

20           [possession] [of] [the] [listed] [materials] [is] [for]

21           [legitimate] [scientific] [or] [educational] [purposes.]

22           (g) ~~(f)~~ [It] [is] [a] [defense] [to] [a] [prosecution]

23           [under] [this] [section] [that:]

24           [ (1) [the] [person] [is] [a] [school] [employee,] [a]

25           [department] [of] [child] [services] [employee,] [or]

26           [an] [attorney] [acting] [in] [the] [attorney's]

27           [capacity] [as] [legal] [counsel] [for] [a] [client,]

28           [and]

29           [ (2) [the] [acts] [constituting] [the] [elements] [of]

30           [the] [offense] [were] [performed] [solely] [within]

31           [the] [scope] [of] [the] [person's] [employment] [as]

32           [a] [school] [employee,] [a] [department] [of] [child]

33           [services] [employee,] [or] [an] [attorney] [acting]

34           [in] [the] [attorney's] [capacity] [as] [legal] [counsel]

35           [for] [a] [client.]

36           (h) ~~(g)~~ [e] Except as provided in subsection (i); ~~(h)~~ [f], it is a

37           defense to a prosecution under subsection (b); (c); (d); or (e) **this**

38           **section** if all of the following apply:

- 39                   (1) A cellular telephone, another wireless or cellular
- 40                   communications device, or a social networking website was used
- 41                   to possess, produce, or disseminate **distribute** the image.
- 42                   (2) The defendant is not more than four (4) years older or



M  
a  
r  
k  
u  
p

- 1 younger than the person who is depicted in the image or who
- 2 received the image.
- 3 (3) The relationship between the defendant and the person who
- 4 received the image or who is depicted in the image was a dating
- 5 relationship or an ongoing personal relationship. For purposes of
- 6 this subdivision, the term "ongoing personal relationship" does
- 7 not include a family relationship.
- 8 (4) The crime was committed by a person less than twenty-two
- 9 (22) years of age.
- 10 (5) The person receiving the image or who is depicted in the
- 11 image acquiesced in the defendant's conduct.
- 12 (f) (~~h~~) **(f)** The defense to a prosecution described in subsection
- 13 (~~h~~) **(f)** does not apply if:
- 14 (1) the person who receives the image ~~disseminates~~ **distributes**
- 15 it to a person other than the person:
- 16 (A) who sent the image; or
- 17 (B) who is depicted in the image;
- 18 (2) the image is of a person other than the person who sent the
- 19 image or received the image; or
- 20 (3) the ~~dissemination~~ **distribution** of the image violates:
- 21 (A) a protective order to prevent domestic or family
- 22 violence or harassment issued under IC 34-26-5 (or, if the
- 23 order involved a family or household member, under
- 24 IC 34-26-2 or IC 34-4-5.1-5 before their repeal);
- 25 (B) an ex parte protective order issued under IC 34-26-5 (or,
- 26 if the order involved a family or household member, an
- 27 emergency order issued under IC 34-26-2 or IC 34-4-5.1
- 28 before their repeal);
- 29 (C) a workplace violence restraining order issued under
- 30 IC 34-26-6;
- 31 (D) a no contact order in a dispositional decree issued under
- 32 IC 31-34-20-1, IC 31-37-19-1, or IC 31-37-5-6 (or
- 33 IC 31-6-4-15.4 or IC 31-6-4-15.9 before their repeal) or an
- 34 order issued under IC 31-32-13 (or IC 31-6-7-14 before its
- 35 repeal) that orders the person to refrain from direct or
- 36 indirect contact with a child in need of services or a
- 37 delinquent child;
- 38 (E) a no contact order issued as a condition of pretrial
- 39 release, including release on bail or personal recognizance,
- 40 or pretrial diversion, and including a no contact order issued
- 41 under IC 35-33-8-3.6;
- 42 (F) a no contact order issued as a condition of probation;

M  
a  
r  
k  
u  
p



- 1 (G) a protective order to prevent domestic or family
- 2 violence issued under IC 31-15-5 (or IC 31-16-5 or
- 3 IC 31-1-11.5-8.2 before their repeal);
- 4 (H) a protective order to prevent domestic or family
- 5 violence issued under IC 31-14-16-1 in a paternity action;
- 6 (I) a no contact order issued under IC 31-34-25 in a child in
- 7 need of services proceeding or under IC 31-37-25 in a
- 8 juvenile delinquency proceeding;
- 9 (J) an order issued in another state that is substantially
- 10 similar to an order described in clauses (A) through (I);
- 11 (K) an order that is substantially similar to an order
- 12 described in clauses (A) through (I) and is issued by an
- 13 Indian:

- 14 (i) tribe;
- 15 (ii) band;
- 16 (iii) pueblo;
- 17 (iv) nation; or
- 18 (v) organized group or community, including an
- 19 Alaska Native village or regional or village corporation
- 20 as defined in or established under the Alaska Native
- 21 Claims Settlement Act (43 U.S.C. 1601 et seq.);
- 22 that is recognized as eligible for the special programs and
- 23 services provided by the United States to Indians because of
- 24 their special status as Indians;
- 25 (L) an order issued under IC 35-33-8-3.2; or
- 26 (M) an order issued under IC 35-38-1-30.

27 (j) ~~l~~ ~~(g)~~ It is a defense to a prosecution under this section  
 28 that:

- 29 (1) the person was less than eighteen (18) years of age at the
- 30 time the alleged offense was committed; and
- 31 (2) the circumstances described in IC 35-45-4-6(a)(2) through
- 32 IC 35-45-4-6(a)(4) apply.

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

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

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

M  
a  
r  
k  
u  
p



- 1 chapter.
- 2 (2) "Sexual conduct" has the meaning set forth in section 4
- 3 of this chapter.
- 4 (b) A person who, with intent to view the image, knowingly or
- 5 intentionally possesses or accesses an image that depicts or
- 6 describes sexual conduct:
- 7 (1) by a child who the person knows is less than eighteen (18)
- 8 years of age;
- 9 (2) by a child less than eighteen (18) years of age, or by a
- 10 person who appears to be a child less than eighteen (18)
- 11 years of age, if the representation of the image is obscene (as
- 12 described in IC 35-49-2-1); or
- 13 (3) that is simulated sexual conduct involving a
- 14 representation that appears to be a child less than eighteen
- 15 (18) years of age, if the representation of the image is
- 16 obscene (as described in IC 35-49-2-1);
- 17 commits possession of child sex abuse material, a Level 6 felony,
- 18 except as otherwise provided in this section. It is not a required
- 19 element of an offense under subdivision (3) that the child depicted
- 20 actually exists.
- 21 (c) The offense described in subsection (b) is a Level 4 felony
- 22 if:
- 23 (1) the person has a prior unrelated conviction for a sex
- 24 offense (as defined in IC 11-8-8-5.2); or
- 25 (2) the conduct depicted in the image involves:
- 26 (A) bestiality (as described in IC 35-46-3-14);
- 27 (B) a child less than twelve (12) years of age, or who
- 28 appears to be a child less than twelve (12) years of age;
- 29 (C) violence or a depiction of violence against a child,
- 30 including sado-masochistic abuse (as defined in
- 31 IC 35-49-1-8); or
- 32 (D) child molesting.
- 33 (d) A person who knowingly or intentionally distributes an
- 34 image that depicts or describes sexual conduct:
- 35 (1) by a child who the person knows is less than eighteen (18)
- 36 years of age;
- 37 (2) by a child less than eighteen (18) years of age, or by a
- 38 person who appears to be a child less than eighteen (18)
- 39 years of age, if the image is obscene (as described in
- 40 IC 35-49-2-1); or
- 41 (3) that is simulated sexual conduct involving a
- 42 representation that appears to be a child less than eighteen

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

1 (18) years of age, if the representation of the image is  
 2 obscene (as described in IC 35-49-2-1);  
 3 commits distribution of child sex abuse material, a Level 5 felony,  
 4 except as otherwise provided in this section. It is not a required  
 5 element of an offense under subdivision (3) that the child depicted  
 6 actually exists.

7 (e) The offense described in subsection (d) is a Level 3 felony  
 8 if:

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

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

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

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

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

18 (D) child molesting;

19 (E) pecuniary gain by the person; or

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

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

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

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

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

39 ~~(h>]~~

40 (f) Except as provided in subsection (<g>[e]), it is a defense to  
 41 a prosecution under this section if all of the following apply:

42 (1) A cellular telephone, another wireless or cellular

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

- 1 communications device, or a social networking website was  
 2 used to possess, produce, or distribute the image.
- 3 (2) The defendant is not more than four (4) years older or  
 4 younger than the person who is depicted in the image or who  
 5 received the image.
- 6 (3) The relationship between the defendant and the person  
 7 who received the image or who is depicted in the image was  
 8 a dating relationship or an ongoing personal relationship.  
 9 For purposes of this subdivision, the term "ongoing personal  
 10 relationship" does not include a family relationship.
- 11 (4) The crime was committed by a person less than  
 12 twenty-two (22) years of age.
- 13 (5) The person receiving the image or who is depicted in the  
 14 image acquiesced in the defendant's conduct.
- 15 (~~g~~) The defense to a prosecution described in subsection  
 16 (~~h~~) [f] does not apply if:
- 17 (1) the person who receives the image distributes it to a  
 18 person other than the person:
- 19 (A) who sent the image; or  
 20 (B) who is depicted in the image;
- 21 (2) the image is of a person other than the person who sent  
 22 the image or received the image; or
- 23 (3) the distribution of the image violates:
- 24 (A) a protective order to prevent domestic or family  
 25 violence or harassment issued under IC 34-26-5 (or, if  
 26 the order involved a family or household member, under  
 27 IC 34-26-2 or IC 34-4-5.1-5 before their repeal);
- 28 (B) an ex parte protective order issued under IC 34-26-5  
 29 (or, if the order involved a family or household member,  
 30 an emergency order issued under IC 34-26-2 or  
 31 IC 34-4-5.1 before their repeal);
- 32 (C) a workplace violence restraining order issued under  
 33 IC 34-26-6;
- 34 (D) a no contact order in a dispositional decree issued  
 35 under IC 31-34-20-1, IC 31-37-19-1, or IC 31-37-19-6 (or  
 36 IC 31-6-4-15.4 or IC 31-6-4-15.9 before their repeal) or  
 37 an order issued under IC 31-32-13 (or IC 31-6-7-14  
 38 before its repeal) that orders the person to refrain from  
 39 direct or indirect contact with a child in need of services  
 40 or a delinquent child;
- 41 (E) a no contact order issued as a condition of pretrial  
 42 release, including release on bail or personal

M  
a  
r  
k  
u  
p

- 1                   recognizance, or pretrial diversion, and including a no  
2                   contact order issued under IC 35-33-8-3.6;
- 3                   (F) a no contact order issued as a condition of  
4                   probation;
- 5                   (G) a protective order to prevent domestic or family  
6                   violence issued under IC 31-15-5 (or IC 31-16-5 or  
7                   IC 31-1-11.5-8.2 before their repeal);
- 8                   (H) a protective order to prevent domestic or family  
9                   violence issued under IC 31-14-16-1 in a paternity  
10                  action;
- 11                  (I) a no contact order issued under IC 31-34-25 in a  
12                  child in need of services proceeding or under  
13                  IC 31-37-25 in a juvenile delinquency proceeding;
- 14                  (J) an order issued in another state that is substantially  
15                  similar to an order described in clauses (A) through (I);
- 16                  (K) an order that is substantially similar to an order  
17                  described in clauses (A) through (I) and is issued by an  
18                  Indian:
- 19                   (i) tribe;
- 20                   (ii) band;
- 21                   (iii) pueblo;
- 22                   (iv) nation; or
- 23                   (v) organized group or community, including an  
24                   Alaska Native village or regional or village  
25                   corporation as defined in or established under the  
26                   Alaska Native Claims Settlement Act (43 U.S.C.  
27                   1601 et seq.);
- 28                  that is recognized as eligible for the special programs  
29                  and services provided by the United States to Indians  
30                  because of their special status as Indians;
- 31                  (L) an order issued under IC 35-33-8-3.2; or
- 32                  (M) an order issued under IC 35-38-1-30.
- 33                  (~~h~~ **h**) It is a defense to a prosecution under this section that:
- 34                   (1) the person was less than eighteen (18) years of age at the  
35                   time the alleged offense was committed; and
- 36                   (2) the circumstances described in IC 35-45-4-6(a)(2)  
37                   through IC 35-45-4-6(a)(4) apply.
- 38                  (~~i~~ **i**) A person is entitled to present the defense described  
39                  in subsection (~~h~~ **h**) in a pretrial hearing. If a person proves by  
40                  a preponderance of the evidence in a pretrial hearing that the  
41                  defense described in subsection (~~h~~ **h**) applies, the court shall  
42                  dismiss the charges under this section with prejudice.

M  
a  
r  
k  
u  
p

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

- 1           (~~↔~~ **ii**) It is a defense to a prosecution under this section that
- 2           the person:
- 3           (1) possessed less than three (3) images prohibited by this
- 4           section; and
- 5           (2) promptly and in good faith, and without retaining or
- 6           allowing any person, other than a law enforcement agency,
- 7           to access a prohibited image or a copy of a prohibited image:
- 8                 (A) took reasonable steps to destroy each prohibited
- 9                 image; or
- 10                (B) reported the matter to a law enforcement agency
- 11                and afforded that agency access to each prohibited
- 12                image.

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

- 19               (1) found to be a sexually violent predator under IC 35-38-1-7.5;
- 20               or
- 21               (2) convicted of one (1) or more of the following offenses:
- 22                     (A) Child molesting (IC 35-42-4-3).
- 23                     (B) Child exploitation (~~IC 35-42-4-4(b) or IC 35-42-4-4(c)~~);
- 24                     **(IC 35-42-4-4).**
- 25                     (C) Child solicitation (IC 35-42-4-6).
- 26                     (D) Child seduction (IC 35-42-4-7).
- 27                     (E) Kidnapping (IC 35-42-3-2), if the victim is less than
- 28                     eighteen (18) years of age, and the person is not the child's
- 29                     parent or guardian.

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

- 33               (b) As used in this section, "reside" means to spend more than
- 34               three (3) nights in:
- 35                     (1) a residence; or
- 36                     (2) if the person does not reside in a residence, a particular
- 37                     location;
- 38                in any thirty (30) day period.

- 39               (c) An offender against children who knowingly or intentionally:
- 40                     (1) resides within one thousand (1,000) feet of:
- 41                         (A) school property, not including property of an institution
- 42                         providing post-secondary education;

M  
a  
r  
k  
u  
p



- 1 (B) a youth program center;
- 2 (C) a public park; or
- 3 (D) a day care center licensed under IC 12-17.2;
- 4 (2) establishes a residence within one (1) mile of the residence
- 5 of the victim of the offender's sex offense; or
- 6 (3) resides in a residence where a child care provider (as defined
- 7 by IC 31-33-26-1) provides child care services;
- 8 commits a sex offender residency offense, a Level 6 felony.

9 (d) This subsection does not apply to an offender against children  
 10 who has two (2) or more unrelated convictions for an offense described  
 11 in subsection (a). A person who is an offender against children may  
 12 petition the court to consider whether the person should no longer be  
 13 considered an offender against children. The person may file a petition  
 14 under this subsection not earlier than ten (10) years after the person is  
 15 released from incarceration or parole, whichever occurs last (or, if the  
 16 person is not incarcerated, not earlier than ten (10) years after the  
 17 person is released from probation). A person may file a petition under  
 18 this subsection not more than one (1) time per year. A court may  
 19 dismiss a petition filed under this subsection or conduct a hearing to  
 20 determine if the person should no longer be considered an offender  
 21 against children. If the court conducts a hearing, the court shall appoint  
 22 two (2) psychologists or psychiatrists who have expertise in criminal  
 23 behavioral disorders to evaluate the person and testify at the hearing.  
 24 After conducting the hearing and considering the testimony of the two  
 25 (2) psychologists or psychiatrists, the court shall determine whether the  
 26 person should no longer be considered an offender against children. If  
 27 a court finds that the person should no longer be considered an offender  
 28 against children, the court shall send notice to the department of  
 29 correction that the person is no longer considered an offender against  
 30 children.

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

- 36 (1) found to be a sexually violent predator under IC 35-38-1-7.5;
- 37 or
- 38 (2) convicted of one (1) or more of the following offenses:
- 39 (A) Child molesting (IC 35-42-4-3).
- 40 (B) Child exploitation (~~IC 35-42-4-4~~ [IC 35-42-4-4](#))(b) or
- 41 ~~IC 35-42-4-4(c)~~; **(IC 35-42-4-4)**.
- 42 (C) Possession of child sex abuse material (IC 35-42-4-4(d))

M  
a  
r  
k  
u  
p

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

- 1 or IC 35-42-4-4(e) (before July 1, 2026), or a child sex
- 2 abuse material offense under IC 35-42-4-4.5 (after June
- 3 30, 2026).
- 4 (D) Vicarious sexual gratification (IC 35-42-4-5(a) and
- 5 IC 35-42-4-5(b)).
- 6 (E) Performing sexual conduct in the presence of a minor
- 7 (IC 35-42-4-5(c)).
- 8 (F) Child solicitation (IC 35-42-4-6).
- 9 (G) Child seduction (IC 35-42-4-7).
- 10 (H) Sexual misconduct with a minor (IC 35-42-4-9).
- 11 (b) A serious sex offender who knowingly or intentionally enters
- 12 school property commits unlawful entry by a serious sex offender, a
- 13 Level 6 felony.
- 14 (c) It is a defense to a prosecution under subsection (b) that:
- 15 (1) a religious institution or house of worship is located on the
- 16 school property; and
- 17 (2) the person:
- 18 (A) enters the school property or other entity described in
- 19 IC 35-31.5-2-285(1)(A) through IC 35-31.5-2-285(1)(D)
- 20 when classes, extracurricular activities, or any other school
- 21 activities are not being held:
- 22 (i) for the sole purpose of attending worship services or
- 23 receiving religious instruction; and
- 24 (ii) not earlier than thirty (30) minutes before the
- 25 beginning of the worship services or religious
- 26 instruction; and
- 27 (B) leaves the school property not later than thirty (30)
- 28 minutes after the conclusion of the worship services or
- 29 religious instruction.
- 30 SECTION 26. IC 35-49-3-3, AS AMENDED BY P.L.218-2025,
- 31 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 32 JULY 1, 2026]: Sec. 3. (a) Except as provided in subsection (b) and
- 33 section 4 of this chapter, a person who knowingly or intentionally:
- 34 (1) disseminates matter to minors that is harmful to minors (as
- 35 described in IC 35-49-2);
- 36 (2) displays matter that is harmful to minors in an area to which
- 37 minors have visual, auditory, or physical access, unless each
- 38 minor is accompanied by the minor's parent or guardian;
- 39 (3) sells, rents, or displays for sale or rent to any person matter
- 40 that is harmful to minors within five hundred (500) feet of the
- 41 nearest property line of a school or church;
- 42 (4) engages in or conducts a performance before minors that is

M  
a  
r  
k  
u  
p

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

- 1 harmful to minors;  
 2 (5) engages in or conducts a performance that is harmful to  
 3 minors in an area to which minors have visual, auditory, or  
 4 physical access, unless each minor is accompanied by the  
 5 minor's parent or guardian;  
 6 (6) misrepresents the minor's age for the purpose of obtaining  
 7 admission to an area from which minors are restricted because  
 8 of the display of matter or a performance that is harmful to  
 9 minors; or  
 10 (7) misrepresents that the person is a parent or guardian of a  
 11 minor for the purpose of obtaining admission of the minor to an  
 12 area where minors are being restricted because of display of  
 13 matter or performance that is harmful to minors;  
 14 commits a Level 6 felony.

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

- 18 (1) the matter is obscene under IC 35-49-2-1;  
 19 (2) the matter is child sex abuse material under ~~IC 35-42-4-4;~~  
 20 ~~>~~ **IC 35-42-4-4.5;** or  
 21 (3) the person distributes the matter to a child less than eighteen  
 22 (18) years of age believing or intending that the recipient is a  
 23 child less than eighteen (18) years of age.

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

- 28 (1) Murder (IC 35-42-1-1).  
 29 (2) Attempted murder (IC 35-41-5-1).  
 30 (3) Voluntary manslaughter (IC 35-42-1-3).  
 31 (4) Involuntary manslaughter (IC 35-42-1-4).  
 32 (5) Reckless homicide (IC 35-42-1-5).  
 33 (6) Battery (IC 35-42-2-1) as a:  
 34 (A) Level 2 felony;  
 35 (B) Level 3 felony;  
 36 (C) Level 4 felony; or  
 37 (D) Level 5 felony.  
 38 (7) Domestic battery (IC 35-42-2-1.3) as a:  
 39 (A) Level 2 felony;  
 40 (B) Level 3 felony;  
 41 (C) Level 4 felony; or  
 42 (D) Level 5 felony.

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

- 1 (8) Aggravated battery (IC 35-42-2-1.5).  
 2 (9) Kidnapping (IC 35-42-3-2).  
 3 (10) Rape (IC 35-42-4-1).  
 4 (11) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).  
 5 (12) Child molesting (IC 35-42-4-3).  
 6 (13) Sexual misconduct with a minor as a Level 1 felony under  
 7 IC 35-42-4-9(a)(2) or a Level 2 felony under IC 35-42-4-9(b)(2).  
 8 (14) Robbery as a Level 2 felony or a Level 3 felony  
 9 (IC 35-42-5-1).  
 10 (15) Burglary as a Level 1 felony, Level 2 felony, Level 3 felony,  
 11 or Level 4 felony (IC 35-43-2-1).  
 12 (16) Operating a vehicle while intoxicated causing death or  
 13 catastrophic injury (IC 9-30-5-5).  
 14 (17) Operating a vehicle while intoxicated causing serious bodily  
 15 injury to another person (IC 9-30-5-4).  
 16 (18) Child exploitation (**IC 35-42-4-4**), as a Level 5 felony under  
 17 ~~IC 35-42-4-4(b)~~ or a Level 4 felony under ~~IC 35-42-4-4(c)~~.  
 18 (19) Resisting law enforcement as a felony (IC 35-44.1-3-1).  
 19 (20) Unlawful possession of a firearm by a serious violent felon  
 20 (IC 35-47-4-5).  
 21 (21) Strangulation (IC 35-42-2-9) as a Level 5 felony.  
 22 **(22) A child sexual abuse material offense (IC 35-42-4-4.5).**  
 23 (b) As used in this section, "episode of criminal conduct" means  
 24 offenses or a connected series of offenses that are closely related in  
 25 time, place, and circumstance.  
 26 (c) Except as provided in subsection (e) or (f) the court shall  
 27 determine whether terms of imprisonment shall be served concurrently  
 28 or consecutively. The court may consider the:  
 29 (1) aggravating circumstances in IC 35-38-1-7.1(a); and  
 30 (2) mitigating circumstances in IC 35-38-1-7.1(b);  
 31 in making a determination under this subsection. The court may order  
 32 terms of imprisonment to be served consecutively even if the sentences  
 33 are not imposed at the same time. However, except for crimes of  
 34 violence, the total of the consecutive terms of imprisonment, exclusive  
 35 of terms of imprisonment under IC 35-50-2-8 and IC 35-50-2-10  
 36 (before its repeal) to which the defendant is sentenced for felony or  
 37 misdemeanor convictions arising out of an episode of criminal conduct  
 38 shall not exceed the period described in subsection (d).  
 39 (d) Except as provided in subsection (c), the total of the  
 40 consecutive terms of imprisonment to which the defendant is sentenced  
 41 for convictions arising out of an episode of criminal conduct may not  
 42 exceed the following:

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

- 1 (1) If the most serious crime for which the defendant is
- 2 sentenced is a Class C misdemeanor, the total of the consecutive
- 3 terms of imprisonment may not exceed one (1) year.
- 4 (2) If the most serious crime for which the defendant is
- 5 sentenced is a Class B misdemeanor, the total of the consecutive
- 6 terms of imprisonment may not exceed two (2) years.
- 7 (3) If the most serious crime for which the defendant is
- 8 sentenced is a Class A misdemeanor, the total of the consecutive
- 9 terms of imprisonment may not exceed three (3) years.
- 10 (4) If the most serious crime for which the defendant is
- 11 sentenced is a Level 6 felony, the total of the consecutive terms
- 12 of imprisonment may not exceed four (4) years.
- 13 (5) If the most serious crime for which the defendant is
- 14 sentenced is a Level 5 felony, the total of the consecutive terms
- 15 of imprisonment may not exceed seven (7) years.
- 16 (6) If the most serious crime for which the defendant is
- 17 sentenced is a Level 4 felony, the total of the consecutive terms
- 18 of imprisonment may not exceed fifteen (15) years.
- 19 (7) If the most serious crime for which the defendant is
- 20 sentenced is a Level 3 felony, the total of the consecutive terms
- 21 of imprisonment may not exceed twenty (20) years.
- 22 (8) If the most serious crime for which the defendant is
- 23 sentenced is a Level 2 felony, the total of the consecutive terms
- 24 of imprisonment may not exceed thirty-two (32) years.
- 25 (9) If the most serious crime for which the defendant is
- 26 sentenced is a Level 1 felony, the total of the consecutive terms
- 27 of imprisonment may not exceed forty-two (42) years.
- 28 (e) If, after being arrested for one (1) crime, a person commits
- 29 another crime:
- 30 (1) before the date the person is discharged from probation,
- 31 parole, or a term of imprisonment imposed for the first crime; or
- 32 (2) while the person is released:
- 33 (A) upon the person's own recognizance; or
- 34 (B) on bond;
- 35 the terms of imprisonment for the crimes shall be served consecutively,
- 36 regardless of the order in which the crimes are tried and sentences are
- 37 imposed.
- 38 (f) If the factfinder determines under IC 35-50-2-11 that a person
- 39 used a firearm in the commission of the offense for which the person
- 40 was convicted, the term of imprisonment for the underlying offense and
- 41 the additional term of imprisonment imposed under IC 35-50-2-11
- 42 must be served consecutively.

M  
a  
r  
k  
u  
p

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

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

8 (b) A person who commits a Level 6 felony (for a crime  
 9 committed after June 30, 2014) shall be imprisoned for a fixed term of  
 10 between six (6) months and two and one-half (2 1/2) years, with the  
 11 advisory sentence being one (1) year. In addition, the person may be  
 12 fined not more than ten thousand dollars (\$10,000).

13 (c) Notwithstanding subsections (a) and (b), if a person has  
 14 committed a Class D felony (for a crime committed before July 1,  
 15 2014) or a Level 6 felony (for a crime committed after June 30, 2014),  
 16 the court may enter judgment of conviction of a Class A misdemeanor  
 17 and sentence accordingly. However, the court shall enter a judgment of  
 18 conviction of a Class D felony (for a crime committed before July 1,  
 19 2014) or a Level 6 felony (for a crime committed after June 30, 2014)  
 20 if:

21 (1) the court finds that:

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

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

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

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

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

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

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

- 1 (1) The person is not a sex or violent offender (as defined in  
2 IC 11-8-8-5).
- 3 (2) The person was not convicted of a Class D felony (for a  
4 crime committed before July 1, 2014) or a Level 6 felony (for a  
5 crime committed after June 30, 2014) that resulted in bodily  
6 injury to another person.
- 7 (3) The person has not been convicted of perjury under  
8 IC 35-44.1-2-1 (or IC 35-44-2-1 before its repeal) or official  
9 misconduct under IC 35-44.1-1-1 (or IC 35-44-1-2 before its  
10 repeal).
- 11 (4) The person has not been convicted of domestic battery as a  
12 Class D felony (for a crime committed before July 1, 2014) or a  
13 Level 6 felony (for a crime committed after June 30, 2014) under  
14 IC 35-42-2-1.3 in the fifteen (15) year period immediately  
15 preceding the commission of the current offense.
- 16 (5) At least three (3) years have passed since the person:  
17 (A) completed the person's sentence; and  
18 (B) satisfied any other obligation imposed on the person as  
19 part of the sentence;  
20 for the Class D or Level 6 felony.
- 21 (6) The person has not been convicted of a felony since the  
22 person:  
23 (A) completed the person's sentence; and  
24 (B) satisfied any other obligation imposed on the person as  
25 part of the sentence;  
26 for the Class D or Level 6 felony.
- 27 (7) No criminal charges are pending against the person.
- 28 (e) A petition filed under subsection (d) or (f) must be verified and  
29 set forth:  
30 (1) the crime the person has been convicted of;  
31 (2) the date of the conviction;  
32 (3) the date the person completed the person's sentence;  
33 (4) any obligations imposed on the person as part of the  
34 sentence;  
35 (5) the date the obligations were satisfied; and  
36 (6) a verified statement that there are no criminal charges  
37 pending against the person.
- 38 (f) If a person whose Class D or Level 6 felony conviction has  
39 been converted to a Class A misdemeanor conviction under subsection  
40 (d) is convicted of a felony not later than five (5) years after the  
41 conversion under subsection (d), a prosecuting attorney may petition  
42 a court to convert the person's Class A misdemeanor conviction back

M  
a  
r  
k  
u  
p

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

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

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

- 11 (1) is in credit Class I, Class A, or Class B;
- 12 (2) has demonstrated a pattern consistent with rehabilitation; and
- 13 (3) successfully completes requirements to obtain one (1) of the  
14 following:

15 (A) A general educational development (GED) diploma  
16 under IC 20-20-6 (before its repeal) or IC 22-4.1-18, if the  
17 person has not previously obtained a high school diploma.

18 (B) Except as provided in subsection (o), a high school  
19 diploma, if the person has not previously obtained a general  
20 educational development (GED) diploma.

21 (C) An associate degree from an approved postsecondary  
22 educational institution (as defined under IC 21-7-13-6(a))  
23 earned during the person's incarceration.

24 (D) A ~~bachelor~~ **bachelor's** degree from an approved  
25 postsecondary educational institution (as defined under  
26 IC 21-7-13-6(a)) earned during the person's incarceration.

27 (b) In addition to any educational credit that a person earns under  
28 subsection (a), or good time credit a person earns under section 3 or 3.1  
29 of this chapter, a person may earn educational credit if, while confined  
30 by the department of correction, the person:

- 31 (1) is in credit Class I, Class A, or Class B;
- 32 (2) demonstrates a pattern consistent with rehabilitation; and
- 33 (3) successfully completes requirements for at least one (1) of  
34 the following:

35 (A) To obtain a certificate of completion of a career and  
36 technical or vocational education program approved by the  
37 department of correction.

38 (B) To obtain a certificate of completion of a substance  
39 abuse program approved by the department of correction.

40 (C) To obtain a certificate of completion of a literacy and  
41 basic life skills program approved by the department of  
42 correction.

M  
a  
r  
k  
u  
p

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

- 1 (D) To obtain a certificate of completion of a reformativ
- 2 program approved by the department of correction.
- 3 (E) An individualized case management plan approved by
- 4 the department of correction.
- 5 (c) The department of correction shall establish admissions criteria
- 6 and other requirements for programs available for earning educational
- 7 credit under subsection (b). A person may not earn educational credit
- 8 under this section for the same program of study. The department of
- 9 correction, in consultation with the department of workforce
- 10 development, shall approve a program only if the program is likely to
- 11 lead to an employable occupation.
- 12 (d) The amount of educational credit a person may earn under this
- 13 section is the following:
- 14 (1) Six (6) months for completion of a state of Indiana general
- 15 educational development (GED) diploma under IC 20-20-6
- 16 (before its repeal) or IC 22-4.1-18.
- 17 (2) One (1) year for graduation from high school.
- 18 (3) Not more than one (1) year for completion of an associate
- 19 degree.
- 20 (4) Not more than two (2) years for completion of a ~~bachelor~~
- 21 **bachelor's** degree.
- 22 (5) Not more than a total of one (1) year, as determined by the
- 23 department of correction, for the completion of one (1) or more
- 24 career and technical or vocational education programs approved
- 25 by the department of correction.
- 26 (6) Not more than a total of six (6) months, as determined by the
- 27 department of correction, for the completion of one (1) or more
- 28 substance abuse programs approved by the department of
- 29 correction.
- 30 (7) Not more than a total of six (6) months, as determined by the
- 31 department of correction, for the completion of one (1) or more
- 32 literacy and basic life skills programs approved by the
- 33 department of correction.
- 34 (8) Not more than a total of six (6) months, as determined by the
- 35 department of correction, for completion of one (1) or more
- 36 reformativ programs approved by the department of correction.
- 37 However, a person who is serving a sentence for an offense
- 38 listed under IC 11-8-8-4.5 may not earn educational credit under
- 39 this subdivision.
- 40 (9) An amount determined by the department of correction under
- 41 a policy adopted by the department of correction concerning the
- 42 individualized case management plan, not to exceed the

M  
a  
r  
k  
u  
p

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1 maximum amount described in subsection (j).  
 2 However, a person who does not have a substance abuse problem that  
 3 qualifies the person to earn educational credit in a substance abuse  
 4 program may earn not more than a total of twelve (12) months of  
 5 educational credit, as determined by the department of correction, for  
 6 the completion of one (1) or more career and technical or vocational  
 7 education programs approved by the department of correction. If a  
 8 person earns more than six (6) months of educational credit for the  
 9 completion of one (1) or more career and technical or vocational  
 10 education programs, the person is ineligible to earn educational credit  
 11 for the completion of one (1) or more substance abuse programs.

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

16 (f) Educational credit earned by a person under this section is  
 17 subtracted from the release date that would otherwise apply to the  
 18 person by the sentencing court after subtracting all other credit time  
 19 earned by the person.

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

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

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

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

33 (2) the period of imprisonment imposed on the person by the  
 34 sentencing court, if the person has been convicted of one (1) of  
 35 the following crimes:

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

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

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

40 (D) Child exploitation (~~IC 35-42-4-4(b) or IC 35-42-4-4(c)~~).

41 **(IC 35-42-4-4).**

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

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

- 1 (F) Child solicitation (IC 35-42-4-6).  
 2 (G) Child seduction (IC 35-42-4-7).  
 3 (H) Sexual misconduct with a minor (IC 35-42-4-9) as a:  
 4 (i) Class A felony, Class B felony, or Class C felony  
 5 for a crime committed before July 1, 2014; or  
 6 (ii) Level 1, Level 2, or Level 4 felony, for a crime  
 7 committed after June 30, 2014.  
 8 (I) Incest (IC 35-46-1-3).  
 9 (J) Sexual battery (IC 35-42-4-8).  
 10 (K) Kidnapping (IC 35-42-3-2), if the victim is less than  
 11 eighteen (18) years of age.  
 12 (L) Criminal confinement (IC 35-42-3-3), if the victim is  
 13 less than eighteen (18) years of age.  
 14 (j) The maximum amount of educational credit a person may earn  
 15 under this section is the lesser of:  
 16 (1) two (2) years; or  
 17 (2) one-third (1/3) of the person's total applicable credit time.  
 18 (k) Educational credit earned under this section by an offender  
 19 serving a sentence for stalking (IC 35-45-10-5), a felony against a  
 20 person under IC 35-42, or for a crime listed in IC 11-8-8-5, shall be  
 21 reduced to the extent that application of the educational credit would  
 22 otherwise result in:  
 23 (1) postconviction release (as defined in IC 35-40-4-6); or  
 24 (2) assignment of the person to a community transition program;  
 25 in less than forty-five (45) days after the person earns the educational  
 26 credit.  
 27 (l) A person may earn educational credit for multiple degrees at  
 28 the same education level under subsection (d) only in accordance with  
 29 guidelines approved by the department of correction. The department  
 30 of correction may approve guidelines for proper sequence of education  
 31 degrees under subsection (d).  
 32 (m) A person may not earn educational credit:  
 33 (1) for a general educational development (GED) diploma if the  
 34 person has previously earned a high school diploma; or  
 35 (2) for a high school diploma if the person has previously earned  
 36 a general educational development (GED) diploma.  
 37 (n) A person may not earn educational credit under this section if  
 38 the person:  
 39 (1) commits an offense listed in IC 11-8-8-4.5 while the person  
 40 is required to register as a sex or violent offender under  
 41 IC 11-8-8-7; and  
 42 (2) is committed to the department of correction after being

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

1 convicted of the offense listed in IC 11-8-8-4.5.  
 2 (o) For a person to earn educational credit under subsection  
 3 (a)(3)(B) for successfully completing the requirements for a high  
 4 school diploma through correspondence courses, each correspondence  
 5 course must be approved by the department before the person begins  
 6 the correspondence course. The department may approve a  
 7 correspondence course only if the entity administering the course is  
 8 recognized and accredited by the department of education in the state  
 9 where the entity is located.  
 10 (p) ~~The department of correction shall, before May 1, 2023, submit~~  
 11 ~~a report to the legislative council, in an electronic format under~~  
 12 ~~IC 5-14-6, concerning the implementation of the individualized case~~  
 13 ~~management plan. The report must include the following:~~  
 14 (1) ~~The ratio of case management staff to offenders participating~~  
 15 ~~in the individualized case management plan as of January 1,~~  
 16 ~~2023.~~  
 17 (2) ~~The average number of days awarded to offenders~~  
 18 ~~participating in the individualized case management plan from~~  
 19 ~~January 1, 2022, through December 31, 2022.~~  
 20 (3) ~~The percentage of the prison population currently~~  
 21 ~~participating in an individualized case management plan as of~~  
 22 ~~January 1, 2023.~~  
 23 (4) ~~Any other data points or information related to the status of~~  
 24 ~~the implementation of the individualized case management plan.~~  
 25 ~~This subsection expires June 30, 2023.~~

M  
a  
r  
k  
u  
p

HB 1303—LS 6764/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY