

# PROPOSED AMENDMENT

## HB 1363 # 6

### DIGEST

Sex offender and sex or violent offender designation. Clarifies language concerning the department of correction's consideration of information concerning sex offenders and sex or violent offenders. Provides that a person who is a: (1) sex offender; or (2) sex or violent offender; shall register for the period required by another jurisdiction or the period in Indiana, whichever is longer. Changes the effective date of sex offender and sex or violent offenders SECTIONS to upon passage.

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- 1        Replace the effective dates in SECTIONS 77 through 78 with
- 2        "[EFFECTIVE UPON PASSAGE]".
- 3        Replace the effective date in SECTION 82 with "[EFFECTIVE
- 4        UPON PASSAGE]".
- 5        Page 51, line 20, after "offender" insert "**registration**".
- 6        Page 52, line 12, after "offender" insert "**registration**".
- 7        Page 52, line 17, delete "in providing information to the court".
- 8        Page 52, line 28, after "offender" insert "**registration**".
- 9        Page 54, line 22, after "sex" insert "**or violent**".
- 10       Page 54, line 24, after "offender" insert "**registration**".
- 11       Page 54, line 33, after "sex" insert "**or violent**".
- 12       Page 55, line 16, after "sex" insert "**or violent**".
- 13       Page 55, line 16, after "offender" insert "**registration**".
- 14       Page 55, line 21, delete "in providing information to the court".
- 15       Page 55, line 32, after "offender" insert "**registration**".
- 16       Page 56, between lines 7 and 8, begin a new paragraph and insert:
- 17       "SECTION 79. IC 11-8-8-19, AS AMENDED BY P.L.1-2025,
- 18       SECTION 158, IS AMENDED TO READ AS FOLLOWS
- 19       [EFFECTIVE UPON PASSAGE]: Sec. 19. (a) Except as provided in
- 20       subsections (b) through (f), a sex or violent offender is required to
- 21       register under this chapter until the expiration of ten (10) years after the
- 22       date the sex or violent offender:
- 23           (1) is released from a penal facility (as defined in
- 24           IC 35-31.5-2-232) or a secure juvenile detention facility of a state
- 25           or another jurisdiction;

- (2) is placed in a community transition program;
- (3) is placed in a community corrections program;
- (4) is placed on parole; or
- (5) is placed on probation;

for the sex or violent offense requiring registration, whichever occurs last. The registration period is tolled during any period that the sex or violent offender is incarcerated. The registration period does not restart if the offender is convicted of a subsequent offense. However, if the subsequent offense is a sex or violent offense, or an offense under section 17 of this chapter, a new registration period may be imposed in accordance with this chapter. The department shall ensure that an offender who is no longer required to register as a sex or violent offender is notified that the obligation to register has expired, and shall ensure that the offender's information is no longer published to the public portal of the sex and violent offender registry website established under IC 36-2-13-5.5.

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

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

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

is required to register for life.

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

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

is required to register for life.

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

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

3 (1) **sex offender under section 4.5 of this chapter; or**

4 (2) **sex or violent offender under section 5 of this chapter;**

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

7 Page 62, after line 33, begin a new paragraph and insert:

8 "SECTION 87. **An emergency is declared for this act.**".

9 Renumber all SECTIONS consecutively.

(Reference is to HB 1363 as introduced.)