



# SENATE MOTION

MR. PRESIDENT:

**I move** that Senate Bill 9 be amended to read as follows:

- 1 Page 2, delete lines 3 through 8, begin a new paragraph, and insert:
- 2 "(e) A court may only excuse a defendant from being in the
- 3 courtroom while a victim makes a statement if the defendant
- 4 presents a safety risk or causes a significant disruption. However,
- 5 this subsection does not prohibit a court from sentencing a
- 6 defendant who is absent from the courtroom if the absence is the
- 7 result of the defendant committing:
- 8 (1) failure to appear (IC 35-44.1-2-9); or
- 9 (2) escape (IC 35-44.1-3-4).
- 10 (f) A victim who is unable to make a statement in the presence
- 11 of the defendant due to the defendant's commission of an offense
- 12 under subsection (e)(1) or (e)(2) has the right to make a statement
- 13 at:
- 14 (1) the defendant's show cause hearing (for a defendant who
- 15 failed to appear in violation of IC 35-44.1-2-9); or
- 16 (2) the defendant's sentencing hearing, if the defendant is
- 17 convicted of escape under IC 35-44.1-3-4."
- 18 Page 2, line 31, delete "defendant was tried" and insert "**absence is**
- 19 **the result of the defendant committing:**
- 20 (1) failure to appear (IC 35-44.1-2-9); or
- 21 (2) escape (IC 35-44.1-3-4).
- 22 (d) A victim who is unable to make a statement in the presence
- 23 of the defendant due to the defendant's commission of an offense
- 24 under subsection (c)(1) or (c)(2) has the right to make a statement
- 25 at:
- 26 (1) the defendant's show cause hearing (for a defendant who
- 27 failed to appear in violation of IC 35-44.1-2-9); or
- 28 (2) the defendant's sentencing hearing, if the defendant is

- 1           **convicted of escape under IC 35-44.1-3-4."**  
2           Page 2, line 42, after "disruption;" insert "**or**  
3           **(3) is absent due to the commission of:**  
4               **(A) failure to appear (IC 35-44.1-2-9); or**  
5               **(B) escape (IC 35-44.1-3-4).**  
6           **(c) A victim who is unable to make a statement in the presence**  
7           **of the defendant due to the defendant's commission of an offense**  
8           **under subsection (b)(3) has the right to make a statement at:**  
9               **(1) the defendant's show cause hearing (for a defendant who**  
10              **failed to appear in violation of IC 35-44.1-2-9); or**  
11              **(2) the defendant's sentencing hearing, if the defendant is**  
12              **convicted of escape under IC 35-44.1-3-4."**  
13           Delete page 3.  
            (Reference is to SB 9 as printed January 14, 2026.)

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Senator FREEMAN