



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**

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).

13 Delete page 3.

(Reference is to SB 9 as printed January 14, 2026.)

Senator FREEMAN