

PROPOSED AMENDMENT

SB 119 # 2

DIGEST

Cell phones. Specifies what constitutes grooming activity, and provides that that "computer network" includes cellular telephones.

- 1 Page 3, delete lines 7 through 10, begin a new line block indented
2 and insert:
3 **"(2) engages in a pattern of repeated or continuous contact**
4 **with an individual the person believes to be less than fourteen**
5 **(14) years of age, with the intent to condition the individual to**
6 **be less resistant to future sexual conduct;"**.
7 Page 4, after line 16, begin a new paragraph and insert:
8 "SECTION 4. IC 35-43-2-3, AS AMENDED BY P.L.32-2019,
9 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2026]: Sec. 3. (a) As used in this section:
11 "Access" means to:
12 (1) approach;
13 (2) instruct;
14 (3) communicate with;
15 (4) store data in;
16 (5) retrieve data from; or
17 (6) make use of resources of;
18 a computer, computer system, or computer network.
19 "Computer network" means the interconnection of communication
20 lines or wireless telecommunications with a computer or wireless
21 telecommunication device through:
22 (1) remote terminals;
23 (2) a complex consisting of two (2) or more interconnected
24 computers; or
25 (3) a worldwide collection of interconnected networks operating
26 as the Internet.
27 **The term includes a cellular telephone or other wireless or cellular**

1 **communications device.**

2 "Computer system" means a set of related computer equipment,
3 software, or hardware.

4 "Hoarding program" means a computer program designed to bypass
5 or neutralize a security measure, access control system, or similar
6 system used by the owner of a computer network or computer system
7 to limit the amount of merchandise that one (1) person may purchase
8 by means of a computer network.

9 (b) A person who knowingly or intentionally accesses:

10 (1) a computer system;

11 (2) a computer network; or

12 (3) any part of a computer system or computer network;

13 without the consent of the owner of the computer system or computer
14 network, or the consent of the owner's licensee, commits computer
15 trespass, a Class A misdemeanor.

16 (c) A person who knowingly or intentionally uses a hoarding
17 program to purchase merchandise by means of a computer network
18 commits computer merchandise hoarding, a Class C infraction. A
19 person commits a separate infraction for each item of merchandise
20 purchased. However, the violation is a Class A misdemeanor if the
21 person has a prior unrelated adjudication or conviction for a violation
22 of this section within the previous five (5) years. It is a defense to a
23 prosecution under this subsection that the person used the hoarding
24 program with the permission of the person selling the merchandise.

25 (d) A person who knowingly or intentionally sells, purchases, or
26 distributes a hoarding program commits unlawful distribution of a
27 hoarding program, a Class C infraction. A person commits a separate
28 infraction for each sale, purchase, or distribution of a hoarding
29 program. However, the violation is a Class C misdemeanor if the
30 person has a prior unrelated adjudication or conviction for a violation
31 of this section within the previous five (5) years. It is a defense to a
32 prosecution under this subsection that the hoarding program was sold,
33 purchased, or distributed for legitimate scientific or educational
34 purposes."

35 Re-number all SECTIONS consecutively.

(Reference is to SB 119 as reprinted January 27, 2026.)